

EXHIBIT 1

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER, MATTHEW RAY)
SPENCER and KATHRYN E. TETZ,)

Plaintiffs,)

vs.)

No. 11-cv-05424-BHS

FORMER DEPUTY PROSECUTING)
ATTORNEY FOR CLARK COUNTY JAMES)
M. PETERS, DETECTIVE SHARON)
KRAUSE and SERGEANT MICHAEL)
DAVIDSON,)

Defendants.)

VIDEOCONFERENCE DEPOSITION UPON ORAL EXAMINATION
OF

SHIRLEY JEAN SPENCER

DATE TAKEN: December 6, 2012
TIME: 9:00 a.m.
PLACE: 613 W. 11th Street
Vancouver, Washington

COURT REPORTER: Teresa L. Rider, CRR, RPR, CCR

Rider & Associates, Inc.

360.693.4111

APPEARANCES

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FOR DEFENDANT KRAUSE: (via videoconference)	MR. GUY BOGDANOVICH Law Lyman Daniel Kamerrer & Bogdanovich, P.S. P.O. Box 11880 Olympia, WA 98508-1880
FOR THE WITNESS:	MR. WILLIAM H. DUNN Attorney at Law P.O. Box 1016 Vancouver, WA 98666-1016

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SHIRLEY JEAN SPENCER 12.06.12

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<p style="text-align: right;">4</p> <p>1 SHIRLEY JEAN SPENCER,</p> <p>2 called as a witness in behalf of the Plaintiffs, having</p> <p>3 been duly sworn, was examined and testified as follows:</p> <p>4 (Deposition Exhibit A was marked for</p> <p>5 identification.)</p> <p>6</p> <p>7 EXAMINATION</p> <p>8 BY MS. ZELLNER:</p> <p>9 Q. Please state your full name for the record,</p> <p>10 including any middle name, and spell your last name.</p> <p>11 A. Shirley Jean Spencer, S-p-e-n-c-e-r.</p> <p>12 MS. ZELLNER: Let the record reflect this is</p> <p>13 the deposition of Shirley Jean Spencer taken pursuant to</p> <p>14 subpoena and proper notice to all of the parties.</p> <p>15 BY MS. ZELLNER:</p> <p>16 Q. I know that you've testified before under oath,</p> <p>17 but I want to go over a few of the rules so that we can</p> <p>18 make this go as smoothly as possible.</p> <p>19 I need for you to make all of your answers</p> <p>20 audible, so shaking your head or saying ha, or whatever,</p> <p>21 or um, will not work. So do you understand that?</p> <p>22 A. I understand.</p> <p>23 Q. Try to let me ask the question before you give</p> <p>24 your answer so that we're not cutting each other off.</p> <p>25 Do you understand that?</p>	<p style="text-align: right;">6</p> <p>1 A. My mom's name was -- let's see -- Alice</p> <p>2 Robertson and my dad's name was Garyl Robertson.</p> <p>3 Q. Did either of your parents work?</p> <p>4 A. My dad did. My mom worked later on in her</p> <p>5 life.</p> <p>6 Q. What was your father's occupation?</p> <p>7 A. He had many occupations. He had his own gun</p> <p>8 repair shop. He drove Coca-Cola truck. He worked for</p> <p>9 Safeway. Oh, and he was also a policeman when he was</p> <p>10 young.</p> <p>11 Q. What was his highest level of education?</p> <p>12 A. Honestly, I don't have a clue.</p> <p>13 Q. What about with your mother, when did she start</p> <p>14 working?</p> <p>15 A. Pardon? I didn't hear you.</p> <p>16 Q. With your mother, what types of jobs did your</p> <p>17 mother hold?</p> <p>18 A. She worked in a clothing store in Spokane and</p> <p>19 she worked in a bank in Portland. Those are the only</p> <p>20 ones I really recall.</p> <p>21 Q. Do you know if your mother finished high</p> <p>22 school?</p> <p>23 A. No, I don't know that.</p> <p>24 Q. Did you have or do you have siblings?</p> <p>25 A. I do.</p>
<p style="text-align: right;">5</p> <p>1 A. I understand.</p> <p>2 Q. You understand that you're under oath when you</p> <p>3 give this deposition.</p> <p>4 A. I understand.</p> <p>5 Q. Correct?</p> <p>6 A. Correct.</p> <p>7 Q. If you answer a question, I'm going to assume</p> <p>8 that you understood the question. So if there's</p> <p>9 something in the question I ask you you don't</p> <p>10 understand, it's perfectly acceptable for you to say I</p> <p>11 don't understand the question. So do you understand</p> <p>12 what I'm telling you?</p> <p>13 A. I do.</p> <p>14 Q. Would you give me your -- and the other thing</p> <p>15 is, if you do want to take a break, that's fine, except</p> <p>16 if a question is pending. So if I ask a question,</p> <p>17 that's not the time to take a break. So do you</p> <p>18 understand that?</p> <p>19 A. I understand.</p> <p>20 Q. Okay. Tell me your date of birth.</p> <p>21 A. 4-27-42.</p> <p>22 Q. And where did you grow up?</p> <p>23 A. Grade school on the coast in Oregon and high</p> <p>24 school around the Spokane area.</p> <p>25 Q. What are the names of your parents?</p>	<p style="text-align: right;">7</p> <p>1 Q. How many siblings do you have?</p> <p>2 A. Five.</p> <p>3 Q. Could you give me their names and where they</p> <p>4 live.</p> <p>5 A. Cindy Morgan and she lives in Battle Ground,</p> <p>6 Washington. Did you ask for ages? I don't remember.</p> <p>7 Q. No, I didn't ask for ages, just names and where</p> <p>8 they're living.</p> <p>9 A. All right. And Robert Morgan, at the present</p> <p>10 he's in Hazel Dell, Washington. And Ralph Morgan, Hazel</p> <p>11 Dell, Washington. Sherri Montgomery, Orchards,</p> <p>12 Washington. And Matthew Hansen in Battle Ground,</p> <p>13 Washington.</p> <p>14 Q. Are all of your siblings still alive?</p> <p>15 A. Well, I lost a baby --</p> <p>16 Q. I'm talking about -- we might be --</p> <p>17 A. Sorry.</p> <p>18 Q. Yeah, I realize that you misunderstood the</p> <p>19 original question.</p> <p>20 Before we get to your children, I was asking</p> <p>21 you about your brothers and sisters, so your siblings.</p> <p>22 So did you have or do you have siblings?</p> <p>23 A. I do.</p> <p>24 Q. Let's go through -- how many do you have?</p> <p>25 A. Two.</p>

<p style="text-align: right;">20</p> <p>1 outgoing? Just give me some words to describe her at</p> <p>2 that point.</p> <p>3 A. She was a very outgoing little girl.</p> <p>4 Q. Was she affectionate with you?</p> <p>5 A. Yeah, she was a little girl that liked to be</p> <p>6 hugged.</p> <p>7 Q. And did she -- what did she call you when she</p> <p>8 addressed you? Did she call you by your first name or</p> <p>9 what did she call you?</p> <p>10 A. Well, I can't even remember. I think she</p> <p>11 called me Shirley or Mama Shirley. It's so long ago,</p> <p>12 ma'am, I can't remember for sure.</p> <p>13 Q. Okay. And I know some of these -- some things</p> <p>14 people remember, and I'm sure there's a lot of things</p> <p>15 you won't remember. It's a long time ago.</p> <p>16 And then with Matt, do you remember what he</p> <p>17 called you? Did he call you mom or did he call you --</p> <p>18 A. It was probably the same. I don't remember for</p> <p>19 sure.</p> <p>20 Q. Okay. And then how would you describe Matt at</p> <p>21 that point in 1984?</p> <p>22 A. Reserved, shy, angry acting. He was not real</p> <p>23 receptive of coming up or being there, whatever. I</p> <p>24 mean, I don't know if this is his usual, you know,</p> <p>25 demeanor, but that's how he was acting.</p>	<p style="text-align: right;">22</p> <p>1 your son, Matt, formed an attachment to Ray?</p> <p>2 A. He did.</p> <p>3 Q. So what I want to do, we've sent a lot of</p> <p>4 documents to you and mostly just to help you remember</p> <p>5 things, but I want to go to -- and I've got a group</p> <p>6 Exhibit A that has various tabs in it.</p> <p>7 MS. ZELLNER: Did you receive those documents,</p> <p>8 Mr. Dunn?</p> <p>9 MR. DUNN: Yes.</p> <p>10 MR. BOGDANOVICH: We have not received those</p> <p>11 documents here. Can we see if they have arrived yet?</p> <p>12 THE REPORTER: Can the attorneys present please</p> <p>13 identify themselves?</p> <p>14 MR. FREIMUND: Jeff Freimund, F-r-e-i-m-u-n-d.</p> <p>15 And I am the attorney for defendant Mike Davidson.</p> <p>16 MR. BOGDANOVICH: I am Guy Bogdanovich. I</p> <p>17 represent defendant Sharon Krause.</p> <p>18 MS. FETTERLY: I'm Patricia Fetterly. I</p> <p>19 represent James Peters.</p> <p>20 And we have not, Ms. Zellner, received those</p> <p>21 documents here yet. How lengthy are they? It might be</p> <p>22 easier to fax them. There might be a hold-up in the</p> <p>23 faxing.</p> <p>24 MS. ZELLNER: I think we e-mailed them two</p> <p>25 hours ago, but we can certainly fax, so why don't we do</p>
<p style="text-align: right;">21</p> <p>1 Q. Did he eventually warm up to you or not?</p> <p>2 A. Yeah, kind of. Not, you know, not a lot.</p> <p>3 Q. And then you also had your son, Matthew Hansen;</p> <p>4 is that right?</p> <p>5 A. Yes, ma'am.</p> <p>6 Q. And how old was Matt in 1984?</p> <p>7 A. In '84 he would have been four.</p> <p>8 Q. Was his birthday February 20th?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. And how did your son -- I know in this case</p> <p>11 people referred to him as Little Matt and they referred</p> <p>12 to the older Matt as being Matt, so I'll probably do</p> <p>13 that.</p> <p>14 A. That's what we did.</p> <p>15 Q. Yeah. And how did Little Matt get along with</p> <p>16 Ray's children?</p> <p>17 A. Very well. He called them his friends.</p> <p>18 Q. And we're just, again, focused on that summer.</p> <p>19 How did Ray -- how would you describe, in general - and</p> <p>20 we'll get more specific as we go - but how did Ray treat</p> <p>21 your son? Did he treat them like his own son or was</p> <p>22 there a difference?</p> <p>23 A. He was very, very strict with him. I was</p> <p>24 probably a little more lenient and he was very strict.</p> <p>25 Q. Do you think, as of the summer of 1984, that</p>	<p style="text-align: right;">23</p> <p>1 that.</p> <p>2 MR. DUNN: We have copies of these in our</p> <p>3 files.</p> <p>4 MR. BOGDANOVICH: In the meantime, I brought a</p> <p>5 set that we can probably try to work from so that we</p> <p>6 don't have to wait. Let's get the fax going, and then</p> <p>7 we'll resume.</p> <p>8 MS. FETTERLY: The fax is 360-357-5761.</p> <p>9 MR. BOGDANOVICH: Ms. Zellner, until we get the</p> <p>10 documents the way you've grouped them, I think we're all</p> <p>11 familiar with the way they were paginated as 1 of 8 or</p> <p>12 22 of 22. If you go into the groups, if you can just</p> <p>13 kind of try to identify them by subject and how many</p> <p>14 pages, we can probably figure out how to follow along.</p> <p>15 MS. ZELLNER: Sure. The entire packet I want</p> <p>16 marked as group Exhibit A, and then there are various</p> <p>17 tabs to group Exhibit A.</p> <p>18 BY MS. ZELLNER:</p> <p>19 Q. But I want to start, Ms. Spencer, with your</p> <p>20 handwritten letter. You do have that?</p> <p>21 A. I have it.</p> <p>22 Q. So what I'd like to do is -- because it is</p> <p>23 handwritten, have you read it out loud. We'll go two or</p> <p>24 three sentences at a time and then stop and let me ask</p> <p>25 you any questions, then we'll go a little bit further.</p>

<p style="text-align: right;">24</p> <p>1 We'll just work our way through it slowly because it's</p> <p>2 an important document in the case.</p> <p>3 So tell me the circumstances under which you</p> <p>4 decided to write a letter.</p> <p>5 A. Kathryn Spencer wanted me to do sexual favors</p> <p>6 for her and she wanted to do sexual favors to me. And</p> <p>7 it was on an evening of watching a video movie with her</p> <p>8 and Big Matt and Little Matt. Her dad was gone.</p> <p>9 Q. How long -- and you said that the visit lasted</p> <p>10 six weeks. How far into the visit do you think that</p> <p>11 was? And was it a week or two or three weeks?</p> <p>12 A. It was just two days before she went home, so</p> <p>13 it was the end of the sixth week.</p> <p>14 Q. And up to the point of this event that happens</p> <p>15 on -- and I believe it's August 24th, 1984, had Kathryn</p> <p>16 done anything that seemed of a sexual nature to you up</p> <p>17 to that point?</p> <p>18 A. No, ma'am.</p> <p>19 Q. Did you notice any behavior on her part that</p> <p>20 you would characterize as being sexual in nature?</p> <p>21 A. She seemed to be a very sexual little girl for</p> <p>22 a five-year-old. Always want to go sit on men's lap and</p> <p>23 hanging on him and hugging on him and wanting to kiss on</p> <p>24 him and stuff, just kind of unusual for me. I've never</p> <p>25 seen that before.</p>	<p style="text-align: right;">26</p> <p>1 A. You know, I honestly can't recall of how many</p> <p>2 times that was or would have been. I know for sure two,</p> <p>3 you know.</p> <p>4 Q. And the other time that that happened, I'm</p> <p>5 assuming that there was no sexual activity or attempts</p> <p>6 on Kathryn's part --</p> <p>7 A. No.</p> <p>8 Q. -- is that right?</p> <p>9 A. That's right.</p> <p>10 Q. Okay. So continue on. While they were</p> <p>11 watching --</p> <p>12 A. While they were watching the cartoon, I took a</p> <p>13 shower. When I finished, I put on a movie and Kathryn</p> <p>14 and Big Matt asked me to lay between them on the floor</p> <p>15 while they watched the movie. Ray was at work.</p> <p>16 Q. When you did lie on the floor between them, how</p> <p>17 were you dressed at that point?</p> <p>18 A. I would have had my pajamas and bathrobe on.</p> <p>19 Q. Okay. So continue from there.</p> <p>20 A. Around 10:00 or 10:30, the boys fell asleep.</p> <p>21 Kathryn asked me if she could rub my tummy, which was</p> <p>22 normal for we all rubbed each others backs, legs, feet</p> <p>23 and tummies, et cetera. Sometimes it was a whole family</p> <p>24 project.</p> <p>25 Q. Tell me a little bit more about that. Tell me</p>
<p style="text-align: right;">25</p> <p>1 Q. And is that -- did you notice that fairly soon</p> <p>2 after she arrived?</p> <p>3 A. Yeah, pretty much the whole time she was there,</p> <p>4 yes.</p> <p>5 Q. And which men did you see Kathryn act that way</p> <p>6 around?</p> <p>7 A. Her dad, my sons, friends of Ray's that would</p> <p>8 come over.</p> <p>9 Q. Anybody else?</p> <p>10 A. I can't think of anybody. It really didn't</p> <p>11 happen with women, except, you know, she liked to be</p> <p>12 hugged.</p> <p>13 Q. So leading up to this evening on Friday, August</p> <p>14 24th, you'd made those observations about her.</p> <p>15 Let's just start out, if you could read into</p> <p>16 the record, your words. Let's go like three sentences</p> <p>17 and then I can ask questions.</p> <p>18 A. Friday, August 24th, 1984, about 9:00 p.m. The</p> <p>19 kids all wanted to sleep on the floor in the living</p> <p>20 room, front room and watch a videotape as they had the</p> <p>21 night before.</p> <p>22 Q. Okay. And let me ask you, up until this</p> <p>23 evening, it sounds like you had done this before with</p> <p>24 them where you lie on the floor and you watch a video,</p> <p>25 right?</p>	<p style="text-align: right;">27</p> <p>1 the circumstances under which that was happening. Was</p> <p>2 that in the evening or was that -- explain that to me.</p> <p>3 A. Anytime the kids were, you know, might want to</p> <p>4 go to bed or were going to bed, you know, they liked</p> <p>5 their backs and their tummies or their legs and feet</p> <p>6 rubbed, still kind of a practice we do today.</p> <p>7 Q. And that was something that you and Mr. Spencer</p> <p>8 did to the children. They also did that to you?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. If you want to continue.</p> <p>11 A. While she rubbed my tummy, she slid her hand up</p> <p>12 and tried to expose my top a few times and I said,</p> <p>13 Kathryn, and then she paid close attention -- then I</p> <p>14 paid close attention. She would put her arm across my</p> <p>15 chest and then try to move my robe and feel my breasts</p> <p>16 and sneak to see if Big Matt was watching.</p> <p>17 Q. Okay. So just so I can visualize that a little</p> <p>18 bit better, when you say she put her arm across your</p> <p>19 chest, so she's reaching -- you've got on your bathrobe</p> <p>20 and under your pajamas; is that right?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. And she reaches across you at some point?</p> <p>23 A. Yeah.</p> <p>24 Q. Is she trying to undo your robe?</p> <p>25 A. No, she was like reach across and hug me, like</p>

<p style="text-align: right;">28</p> <p>1 (indicating). You're laying beside somebody and you</p> <p>2 throw your arm across their chest, that way, like a hug.</p> <p>3 Q. All right. And then you say she tries to move</p> <p>4 your robe and feel your breast. What do you</p> <p>5 specifically remember her doing, like, how did she try</p> <p>6 to remove your robe?</p> <p>7 A. She kind of pushed up under and moving it apart</p> <p>8 up under my pajamas, because she was -- move your hand</p> <p>9 down, trying to move it. I don't know how to explain</p> <p>10 it, other than that.</p> <p>11 Q. So she does that and then you see her look over</p> <p>12 at Pat. Was Matt asleep, Big Matt, was he asleep?</p> <p>13 A. Yes, ma'am.</p> <p>14 Q. Okay. So let's continue on, then.</p> <p>15 A. Then she tried to slide her hand back to my</p> <p>16 tummy -- or let's see. She slid her hand back to my</p> <p>17 tummy, and all of a sudden she slid her hand down to my</p> <p>18 front. Startled, I said, Kathryn. And she jerked her</p> <p>19 hand away.</p> <p>20 Q. So kind of describe, just with a little more</p> <p>21 detail, kind of describe that movement that she makes so</p> <p>22 that we can understand.</p> <p>23 A. Well, rubbing my tummy and she tries to put her</p> <p>24 hand down my front real quick.</p> <p>25 Q. Okay. And when you say she tried to put her</p>	<p style="text-align: right;">30</p> <p>1 A. I don't know. I couldn't tell you that. I</p> <p>2 can't remember.</p> <p>3 Q. But you're sure that -- you're sure that she</p> <p>4 used that word pee pee?</p> <p>5 A. Yes, ma'am.</p> <p>6 Q. Okay. And then she asked you if she could rub</p> <p>7 your pee pee and when I'm done will you rub my pee pee.</p> <p>8 She said, it feels good. Can I? Now, was she speaking</p> <p>9 in complete sentences when she said that to you or was</p> <p>10 she gesturing? I'm just trying to get a sense of her</p> <p>11 level of expression.</p> <p>12 A. I think she was saying it in complete</p> <p>13 sentences. I don't know, ma'am. It's so long ago, I</p> <p>14 can't remember exactly. I don't remember exactly what</p> <p>15 she said and did.</p> <p>16 Q. Okay. And was this the only occasion in your</p> <p>17 life, other than with your son, Matt Hansen, that any</p> <p>18 child had reported sexual abuse to you? Had you ever</p> <p>19 been in that situation before?</p> <p>20 A. Other than what happened to me, no, never been</p> <p>21 in that situation with my older children, ever.</p> <p>22 Q. And did this -- what she was doing, did it</p> <p>23 remind you of anything that had happened to you as a</p> <p>24 child?</p> <p>25 A. Actually not. It just shocked me.</p>
<p style="text-align: right;">29</p> <p>1 hand down your front, you still have your pajamas and</p> <p>2 your robe on, right?</p> <p>3 A. Yes, ma'am.</p> <p>4 Q. And how far down does she extend her hand?</p> <p>5 A. She just barely got, you know, under my pajama</p> <p>6 waist.</p> <p>7 Q. Okay. So she actually put her hand inside the</p> <p>8 robe and under your pajamas --</p> <p>9 A. Yes.</p> <p>10 Q. -- is that right, that's what she did?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. So if you could please continue.</p> <p>13 A. She jerked her hand away. She said, Mommy, can</p> <p>14 I rub your pee pee. I said, no, Kathryn. She said, can</p> <p>15 I rub -- yeah, can I rub your pee pee, and when I'm</p> <p>16 done, will you rub my pee pee. And she said, it feels</p> <p>17 good. Can I?</p> <p>18 Q. So let's talk about that comment on her part.</p> <p>19 So you remember that she -- at that point she called you</p> <p>20 mommy, right?</p> <p>21 A. Yes. Yes, she did.</p> <p>22 Q. And does she use the term pee pee?</p> <p>23 A. Yes, ma'am, she did.</p> <p>24 Q. And had you ever heard her use that term</p> <p>25 before?</p>	<p style="text-align: right;">31</p> <p>1 Q. Now, let's continue on. It says you say, no,</p> <p>2 right? I said, No.</p> <p>3 A. Yes. You want me to read?</p> <p>4 Q. Right. Karen is Karen Stone, though, right?</p> <p>5 A. Yes, ma'am.</p> <p>6 Q. Okay. Yeah, if you could continue on.</p> <p>7 A. She said, Karen let me rub her pee pee. And I</p> <p>8 said, no. I will rub your back and your tummy, not your</p> <p>9 pee pee. She kept insisting she wanted me to do this</p> <p>10 for it felt so good.</p> <p>11 Q. How do you know that pee pee, in what she's</p> <p>12 telling you, how do you know that that refers to her</p> <p>13 genitals? How do you know that that's what she means?</p> <p>14 A. Well, I don't know what else it would mean.</p> <p>15 Q. But does she point at her -- does she point in</p> <p>16 the area where she wants you to rub or did she just use</p> <p>17 that term?</p> <p>18 A. She just tried to push my hand there.</p> <p>19 Q. And where does she push your hand to?</p> <p>20 A. She got, you know, just below tummy level,</p> <p>21 that's it, before I jerked my hand away.</p> <p>22 Q. So am I correct, though, that she doesn't --</p> <p>23 she doesn't put your hand on her genitals, right?</p> <p>24 A. No.</p> <p>25 Q. And other than saying that she wants you to rub</p>

<p style="text-align: right;">32</p> <p>1 her pee pee and pushing your hand down below her tummy,</p> <p>2 does she do anything else that would indicate that she</p> <p>3 wants some type of sexual contact with you?</p> <p>4 A. Other than that, that's it.</p> <p>5 Q. I'm just trying to see if there's anything else</p> <p>6 that you remember. All right?</p> <p>7 So if we start in where she again said, Karen</p> <p>8 and my mommy, do you see that?</p> <p>9 A. Okay.</p> <p>10 Q. Would you read those three sentences?</p> <p>11 A. Again or after that, after my mommy?</p> <p>12 Q. Just start reading where you left off.</p> <p>13 A. And my mommy let me rub their titties and their</p> <p>14 pee pee. At that I started questioning her about Karen</p> <p>15 and her mommy, and then she told me her daddy was always</p> <p>16 hurting her and Karen was -- oh, no -- my dad was away</p> <p>17 hunting and Karen was laying on the bed with Kathryn.</p> <p>18 Karen had Kathryn untie her robe and rub her tummy then</p> <p>19 her breasts then she let her rub her pee pee.</p> <p>20 Q. Okay. And again, this is referring to Karen</p> <p>21 Stone; is that right?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. Now, when Kathryn told you about this sexual</p> <p>24 activity between herself and Karen, did you believe her?</p> <p>25 A. I didn't know what to think. I was shocked. I</p>	<p style="text-align: right;">34</p> <p>1 Q. Did you ask her -- I'm sorry. I cut you off.</p> <p>2 Go ahead.</p> <p>3 A. No. She just volunteered that information. I</p> <p>4 didn't ask her that.</p> <p>5 Q. As you sit here today, do you think that Karen</p> <p>6 Stone molested Kathryn Spencer?</p> <p>7 A. I had no idea. I wasn't sure who did what,</p> <p>8 just from what Kathryn told me. That's all I knew. I</p> <p>9 had never been involved in this kind of thing before, so</p> <p>10 it was new to me.</p> <p>11 Q. And the letter was written up, was it not, at</p> <p>12 Ray Spencer's request?</p> <p>13 A. Absolutely not.</p> <p>14 Q. Tell me about that.</p> <p>15 A. I called CPS or Child Protective Services and</p> <p>16 told them what she had said, and they asked me to write</p> <p>17 it down. I asked them if I should get some batteries</p> <p>18 and record it because I had a recorder, and they said,</p> <p>19 no, it wouldn't hold up, just to write it down and</p> <p>20 they'd have an officer pick up the paperwork. Ray</p> <p>21 wasn't even home.</p> <p>22 Q. So you make the first call to Child Protective</p> <p>23 Services. Do you call the next morning after that</p> <p>24 episode with Kathryn?</p> <p>25 A. Yes, ma'am.</p>
<p style="text-align: right;">33</p> <p>1 was upset, yeah. I wasn't sure what was going on. No</p> <p>2 reason --</p> <p>3 Q. Did she seem like she was telling the truth</p> <p>4 about Karen Stone?</p> <p>5 A. I, you know, can't tell you.</p> <p>6 Q. During those six weeks that you were with her</p> <p>7 in 1984, did you ever catch her in any type of lie about</p> <p>8 anything?</p> <p>9 A. No.</p> <p>10 Q. Did she ever make up stories in your presence</p> <p>11 that you found out later were not true?</p> <p>12 A. None that I know of.</p> <p>13 Q. So after she tells you about Karen Stone, what</p> <p>14 happens after that?</p> <p>15 A. You want me to read some more?</p> <p>16 Q. Yeah.</p> <p>17 A. I asked her then what she said, Karen once</p> <p>18 rubbed her pee pee.</p> <p>19 Q. Tell me what kind of questions were you asking</p> <p>20 her to get her to open up to you and talk.</p> <p>21 A. Just what I have written here, nothing else.</p> <p>22 Q. Okay. Well, it just says that you asked</p> <p>23 questions, but I wondered if you remember how you got</p> <p>24 her to open up and talk about Karen Stone.</p> <p>25 A. She's the one that --</p>	<p style="text-align: right;">35</p> <p>1 Q. And do you remember who you spoke to?</p> <p>2 A. No, ma'am, I don't.</p> <p>3 Q. But they advised you not to tape record, right,</p> <p>4 because it wouldn't hold up in court?</p> <p>5 A. Yes, they told me to write it all down.</p> <p>6 Q. Okay. And so when you had written it down,</p> <p>7 when you're actually writing it, is Ray Spencer home</p> <p>8 yet?</p> <p>9 A. No, he's not.</p> <p>10 Q. So you complete the entire document, what we've</p> <p>11 marked as the first tap in group Exhibit A, you complete</p> <p>12 that before he gets home, right?</p> <p>13 A. Yes, ma'am.</p> <p>14 Q. All right. Let's continue on.</p> <p>15 A. Okay. I was just waiting on you to ask me.</p> <p>16 Sorry.</p> <p>17 Q. Okay.</p> <p>18 A. I asked Kathryn how many times did this happen</p> <p>19 and she said a few. I then asked her about her mommy,</p> <p>20 DeAnne. She said pretty much the same things, that they</p> <p>21 rubbed each others tummies, tops and pee pees.</p> <p>22 Q. All right. And so now she's telling you about</p> <p>23 her mother doing that. And does she do that with</p> <p>24 questions from you? Do you say has anyone else touched</p> <p>25 you inappropriately or does she just volunteer DeAnne's</p>

<p style="text-align: right;">36</p> <p>1 name?</p> <p>2 A. She volunteered her mommy. She didn't say</p> <p>3 DeAnne. She just said mommy.</p> <p>4 Q. When she's talking, do you start making notes</p> <p>5 or how do you actually put the letter together the next</p> <p>6 day, just from memory?</p> <p>7 A. Yes, ma'am, part of it.</p> <p>8 Q. So then if you could start with where it says,</p> <p>9 I said was this only. Do you see that?</p> <p>10 A. Yeah. Was this only when mama put medicine on</p> <p>11 your pee pee because it was sore? And she said, no.</p> <p>12 She rubbed it other times.</p> <p>13 Q. Now, were you aware that Kathryn had a sore in</p> <p>14 the vaginal area?</p> <p>15 A. Not the summer that she came to our house.</p> <p>16 That was -- I heard about that was the summer that Ray</p> <p>17 was living with Karen Stone.</p> <p>18 Q. Okay. And when you put -- the reason that you</p> <p>19 put the description about putting medicine on is because</p> <p>20 you knew that information, right, that Kathryn had had</p> <p>21 the vaginal sore and medicine had been put on it?</p> <p>22 A. Well, that and the fact that kids don't wipe</p> <p>23 good, sometimes they get sore.</p> <p>24 Q. Okay. And then she said, no, correct?</p> <p>25 A. She said, no.</p>	<p style="text-align: right;">38</p> <p>1 referring to Ray Spencer or you just didn't know at that</p> <p>2 point?</p> <p>3 A. I thought she was referring to Ray Spencer. I</p> <p>4 didn't know of anybody else.</p> <p>5 Q. Okay. Can you continue on?</p> <p>6 A. I asked where the boys were when this happened</p> <p>7 and she said asleep. I asked her where I was and she</p> <p>8 said you were at work. I asked her how many times, one,</p> <p>9 two or three, and she said a whole bunch. She said</p> <p>10 daddy told her not to tell. I said, then, why are you</p> <p>11 telling me, Kathryn?</p> <p>12 Q. Let's go a little bit further.</p> <p>13 A. She said, I wanted you to know. I said, are</p> <p>14 you going to tell your mommy, DeAnne? And she said, no,</p> <p>15 she would never do that. I asked her why? She said</p> <p>16 mommy -- I asked her why, she said mommy would laugh at</p> <p>17 me. I asked her if she was going to tell anyone else,</p> <p>18 and she said no.</p> <p>19 Q. Okay. So are you asking her if she is going to</p> <p>20 tell anyone?</p> <p>21 A. Yes.</p> <p>22 Q. And then she's telling you, no, that she isn't</p> <p>23 going to tell anybody, right?</p> <p>24 A. Right. Do you want me to go on?</p> <p>25 Q. Yeah.</p>
<p style="text-align: right;">37</p> <p>1 Do you want me to read more?</p> <p>2 Q. Yeah. Yeah, let's go all the way to --</p> <p>3 A. Pardon?</p> <p>4 Q. Yeah, continue, please.</p> <p>5 A. She rubbed it other times when it didn't need</p> <p>6 medicine. And again asked me if I would rub her pee</p> <p>7 pee. I said I would rub her back and her tummy, not her</p> <p>8 pee pee.</p> <p>9 Q. Okay. Let's continue on.</p> <p>10 A. She then said, daddy let's me rub his pee pee</p> <p>11 and he rubs my pee pee. That really tore me up. So I</p> <p>12 kept it light as we watched the videotape and tried to</p> <p>13 question her more. I asked her where the boys were when</p> <p>14 this happened and she said asleep.</p> <p>15 Do you want me to go on?</p> <p>16 Q. Yeah, let's stop at that point. When she says</p> <p>17 daddy, do you know at that point if she's referring to</p> <p>18 Ray Spencer or she's referring to someone back at her</p> <p>19 mother's home in Sacramento?</p> <p>20 A. I only knew of Ray, her own dad. I didn't know</p> <p>21 that there was any person in Sacramento.</p> <p>22 Q. And I ask that question because you said she</p> <p>23 was calling you mommy, right?</p> <p>24 A. Yes.</p> <p>25 Q. So did you think at that point that she was</p>	<p style="text-align: right;">39</p> <p>1 A. Ray came home from work and I didn't know what</p> <p>2 to do or say. I never came up against anything like</p> <p>3 this before. I was scared for Kathryn. Many things ran</p> <p>4 through my mind: What to do? What to say? How to say</p> <p>5 it? But I just couldn't do or say anything to him until</p> <p>6 I talked with Kathryn more.</p> <p>7 The next day Ray left for work. I took the</p> <p>8 kids to the beach. While the boys swam, Kathryn laid on</p> <p>9 the blanket to keep warm and we talked some more. She</p> <p>10 said the same story about her mom and Karen and went</p> <p>11 into more detail about her dad and her big -- and Big</p> <p>12 Matt.</p> <p>13 Q. Okay. So let me just stop you there because</p> <p>14 I'm trying to figure out in the sequence.</p> <p>15 We know that this event with Kathryn occurs on</p> <p>16 Friday, August 24th. Is it on Saturday that you write</p> <p>17 this letter up or do you remember?</p> <p>18 A. Yeah, I don't remember the day of the week. I</p> <p>19 just remember it was, like, the 24th. I don't remember</p> <p>20 the day of the week, though. I'm assuming it was a</p> <p>21 Saturday because I probably wouldn't have been able to</p> <p>22 take them to the beach. I'd have been working.</p> <p>23 Q. And it appears that by Saturday that Ray is</p> <p>24 home; is that right?</p> <p>25 A. I don't know that it was Saturday. It was the</p>

<p style="text-align: right;">40</p> <p>1 day after they left. He didn't come home until the day</p> <p>2 after they left.</p> <p>3 Q. Because on that passage you read back up a</p> <p>4 paragraph, it says Ray came home from work and I didn't</p> <p>5 know what to do or say.</p> <p>6 A. Right.</p> <p>7 Q. I've never -- right, so I'm just trying to</p> <p>8 figure this out. Was Ray at work on Saturday and he</p> <p>9 came home?</p> <p>10 A. He came home from work and then he left for a</p> <p>11 motorcycle convention in Seattle, I think it was, the</p> <p>12 next morning.</p> <p>13 Q. Okay. So he's just you home for a short period</p> <p>14 of time. Is he home that night, that Friday night?</p> <p>15 A. Just that night.</p> <p>16 Q. So you have this conversation with Kathryn,</p> <p>17 then Ray comes home, but you don't say anything to him</p> <p>18 at that point; is that right?</p> <p>19 A. That's right.</p> <p>20 Q. And tell me, because Kathryn has named all</p> <p>21 these people, her mother, Karen Stone, Ray Spencer and</p> <p>22 Big Matt, tell me why you didn't say anything to Ray</p> <p>23 Spencer at that point?</p> <p>24 A. I didn't know what to say or how to say it.</p> <p>25 The whole thing had me just upset and I didn't know what</p>	<p style="text-align: right;">42</p> <p>1 you're going to instruct her not to answer, I would ask</p> <p>2 you to answer my question over his objection.</p> <p>3 MR. DUNN: You can go ahead and answer.</p> <p>4 THE WITNESS: Would you repeat it, now, please?</p> <p>5 BY MS. ZELLNER:</p> <p>6 Q. Sure. Do you believe that this -- at this</p> <p>7 point when Kathryn was telling you these things about</p> <p>8 being sexually abused by multiple abusers, that you</p> <p>9 personally were very sensitive to this issue of abuse</p> <p>10 because of your history?</p> <p>11 A. No, never entered my mind about me.</p> <p>12 Q. Okay. All right. So let's continue on.</p> <p>13 A. She said that Big Matt stuck his finger in her</p> <p>14 sometimes. I asked her about any other men or women and</p> <p>15 she said no, every time Big Matt came around she said,</p> <p>16 shush, Matt's coming. She said, you won't tell dad, and</p> <p>17 I said, no. And don't you say anything. She said dad</p> <p>18 told me not to say anything -- to tell you.</p> <p>19 Q. Okay. And you're still at the beach when she's</p> <p>20 telling you all this information?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. And you hadn't written the letter yet, right?</p> <p>23 A. No, ma'am.</p> <p>24 Q. And Ray has come home, but he's left for his</p> <p>25 motorcycle conference.</p>
<p style="text-align: right;">41</p> <p>1 to do or say.</p> <p>2 Q. And would it be a fair statement to say at that</p> <p>3 point you didn't really know whether Kathryn was telling</p> <p>4 you the truth or she just made all of this up?</p> <p>5 A. I wouldn't have had a clue where it all came</p> <p>6 from. I wouldn't assume she would lie. I didn't know</p> <p>7 her to lie, but I just didn't have a clue where it all</p> <p>8 came from. It was such a shock.</p> <p>9 Q. And you would agree that she's describing</p> <p>10 multiple abusers to you, right?</p> <p>11 A. Yes, ma'am.</p> <p>12 Q. And that's similar, I think, to what happened</p> <p>13 to you, right, not just one person, but there's multiple</p> <p>14 abusers?</p> <p>15 A. That has nothing to do with me. But, yes.</p> <p>16 Q. Well, wouldn't you be more sensitized to this</p> <p>17 issue, though, having been abused yourself?</p> <p>18 MR. DUNN: I'm going to object to that type of</p> <p>19 questioning. You're asking for conclusions or opinions</p> <p>20 about matters that she's not qualified to give and</p> <p>21 doesn't -- it would require her to speculate. It would</p> <p>22 require her to speculate on matters that don't have</p> <p>23 anything to do with evidence.</p> <p>24 MS. ZELLNER: Your objection is noted for the</p> <p>25 record. This is a federal deposition. And unless</p>	<p style="text-align: right;">43</p> <p>1 A. Yes, ma'am.</p> <p>2 Q. So then what else does she tell you? Let's</p> <p>3 continue on.</p> <p>4 A. Dad told me not to tell you and you tell me not</p> <p>5 to tell dad. I said that's a little different. She</p> <p>6 said, again -- she again asked me about why I wouldn't</p> <p>7 rub her pee pee. I couldn't make her feel dirty, so</p> <p>8 change the subject and she said -- let's see. I don't</p> <p>9 know where I'm at. Hang on.</p> <p>10 Q. Sure. I think it says she said I rubbed you --</p> <p>11 A. Yeah. I'm sorry. She said, yeah, I rubbed</p> <p>12 you. I said, Kathryn, you rubbed my tummy, not my pee</p> <p>13 pee. And you --</p> <p>14 Q. I think it says you touched it mom told you no.</p> <p>15 A. Yeah, you touched it and mom told you no. She</p> <p>16 said, I know, but can I, Mom, it feels good? I said,</p> <p>17 no, and started questioning her again.</p> <p>18 And she said dad would lay on his back and she</p> <p>19 would lay on his tummy and they started out with dad --</p> <p>20 oh, man, I'm having a hard time, I'm sorry,</p> <p>21 concentrating here -- and in his robe and shorts and in</p> <p>22 her nightie and panties. And then she said she took off</p> <p>23 her panties and dad, that -- slid daddy's down and he</p> <p>24 put his pee pee between her legs. I asked her then,</p> <p>25 what I said --</p>

<p style="text-align: right;">44</p> <p>1 Q. Let's stop. There's a couple of things I want</p> <p>2 to ask you about.</p> <p>3 A. Okay.</p> <p>4 Q. You said when you began that last passage, it</p> <p>5 says she said I rubbed you. I said, Kathryn, you rubbed</p> <p>6 my tummy, not my pee pee. Am I reading that correctly?</p> <p>7 A. That's right.</p> <p>8 Q. So she's just said that you rubbed her and yet</p> <p>9 you know that that's not true. All that was rubbed was</p> <p>10 her tummy.</p> <p>11 A. Was her tummy.</p> <p>12 Q. So right there in that one sentence, she's</p> <p>13 telling you that you've also rubbed her and you're</p> <p>14 telling her, no, that wasn't my pee pee. Do you</p> <p>15 understand what I'm saying? She's actually</p> <p>16 misconstruing what went on between you and her at that</p> <p>17 point, because it specifically said, she said, I rubbed</p> <p>18 you. I said, Kathryn, you rubbed my tummy and not my</p> <p>19 pee pee. Do you see that?</p> <p>20 A. Right.</p> <p>21 Q. So you're correcting her when she says that she</p> <p>22 had actually rubbed you, right?</p> <p>23 MR. DUNN: I'm going to object to the form of</p> <p>24 that question because it's argumentative and calls for</p> <p>25 conclusions.</p>	<p style="text-align: right;">46</p> <p>1 A. Yes, ma'am.</p> <p>2 Q. And how long after you're on the beach do you</p> <p>3 write this letter?</p> <p>4 A. As soon as we got home. So we were down there</p> <p>5 a couple of hours.</p> <p>6 Q. So when you get home, you write the letter from</p> <p>7 your memory of what she told you on the beach and also</p> <p>8 at the house.</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. And you would agree with me that the letter is</p> <p>11 fairly detailed, wouldn't you?</p> <p>12 A. I think so. I tried to be accurate.</p> <p>13 Q. And you tried to put in as much detail as you</p> <p>14 could, right?</p> <p>15 A. I put in only what she told me.</p> <p>16 Q. Okay. So let's continue on, if you'll keep</p> <p>17 reading.</p> <p>18 A. She said, I don't know. I said, then what.</p> <p>19 She said to her -- he then kissed her pee pee and she</p> <p>20 kissed his and tried to or did put it in her mouth. I</p> <p>21 asked her if she ever got sore and she said yes. And I</p> <p>22 said, from what? And she said -- what's that word? --</p> <p>23 from -- and she said from rubbing it. I can't read my</p> <p>24 own writing.</p> <p>25 Q. Please continue.</p>
<p style="text-align: right;">45</p> <p>1 MR. BOGDANOVICH: I'll object.</p> <p>2 MS. ZELLNER: Your objection is noted.</p> <p>3 BY MS. ZELLNER:</p> <p>4 Q. Did I read that correctly? Is it correct that</p> <p>5 you wrote down, not my pee pee, correct?</p> <p>6 A. That's correct. She rubbed my tummy not my pee</p> <p>7 pee.</p> <p>8 Q. But you corrected her, am I right?</p> <p>9 MR. BOGDANOVICH: Object to the form of the</p> <p>10 question. It's argumentative and inaccurate.</p> <p>11 BY MS. ZELLNER:</p> <p>12 Q. You can answer over that objection.</p> <p>13 A. I don't know how to answer it, other than to</p> <p>14 say she rubbed my tummy, not my pee pee. So I guess if</p> <p>15 that's a correction, that's a correction.</p> <p>16 Q. All right. So then if we go down to where you</p> <p>17 left off, pick up where you left off.</p> <p>18 A. Daddy put his pee pee between her legs. I</p> <p>19 asked her then what she said. He tried to put it in her</p> <p>20 little hole but it was too big. I said, didn't it hurt?</p> <p>21 And she said, yes. I said, then what did you do? And</p> <p>22 she said, I told daddy it was too big. And he said,</p> <p>23 what can I say, baby girl.</p> <p>24 Q. Now, I'm assuming that you're trying to quote</p> <p>25 her directly, am I right?</p>	<p style="text-align: right;">47</p> <p>1 A. I asked her if he said nice things to her and</p> <p>2 she said he kisses me and tells me he loves me and tells</p> <p>3 me I have a pretty bottom. I asked her if she liked</p> <p>4 this and she said, yes, and she loves her daddy. And</p> <p>5 does he do these things to me? And I said, that's</p> <p>6 different, Kathryn.</p> <p>7 Q. And so your testimony is that what you've got</p> <p>8 written here is exactly what Kathryn Spencer told you at</p> <p>9 the beach, right?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. Okay. Let's continue. We've got about a</p> <p>12 paragraph to go.</p> <p>13 A. Kathryn feels good about all this. She likes</p> <p>14 it and wants it more. And she said she wants to know</p> <p>15 what it feels like to do more. I don't know how to tell</p> <p>16 her that this wasn't right without making her feel bad</p> <p>17 or dirty.</p> <p>18 I asked her if she was telling me stories and</p> <p>19 she said, no. I said, you wouldn't tell me lies? She</p> <p>20 said, no. You're not making it up? No. I asked her if</p> <p>21 she had -- she was afraid of me and she said, yes. And</p> <p>22 I said, why? I've never -- I have never spanked you.</p> <p>23 Are you afraid of that? And she said, well, my mommy,</p> <p>24 DeAnne, would spank me and send me to my room. I said,</p> <p>25 you know I wouldn't do that. She said, I know. And I</p>

<p style="text-align: right;">48</p> <p>1 said, then is this all so? And she said, yes.</p> <p>2 I then got batteries, called Crises and asked</p> <p>3 them if I should tape this and they said it wouldn't do</p> <p>4 any good. It wouldn't hold up in court, so I didn't</p> <p>5 tape her.</p> <p>6 Ray called and I told him then -- and then he</p> <p>7 took it to California Crisis when he got home.</p> <p>8 Q. Go ahead.</p> <p>9 A. I told him before he got home, when he called</p> <p>10 and asked me what was wrong.</p> <p>11 Q. And you described everything that Kathryn had</p> <p>12 told you?</p> <p>13 A. When he called home, I was upset and all I said</p> <p>14 was Kathryn accused you of molesting her. And he said,</p> <p>15 Is that all? Oh, well, I'll take care of that when I</p> <p>16 get home.</p> <p>17 Q. Well, Kathryn actually had accused him of</p> <p>18 molesting her. She'd accused her mother, DeAnne</p> <p>19 Spencer, of molesting her. She'd accused Matt Spencer</p> <p>20 of molesting her and she had accused Karen Stone of</p> <p>21 molesting her, right?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. So did you tell Ray Spencer in that phone</p> <p>24 conversation that she'd accused all those other people</p> <p>25 of molesting her?</p>	<p style="text-align: right;">50</p> <p>1 A. I didn't think about writing it down, I guess.</p> <p>2 Q. Okay. So when does Ray come home?</p> <p>3 A. He came home the next day after the kids left.</p> <p>4 Q. Now, you knew the kids were going to return to</p> <p>5 Sacramento, right?</p> <p>6 A. I did.</p> <p>7 Q. Okay. And you knew that Kathryn had accused</p> <p>8 her own mother of molesting her, right?</p> <p>9 A. I did.</p> <p>10 Q. And did you attempt to contact anybody before</p> <p>11 Ray got home in Sacramento, since Kathryn was going home</p> <p>12 to her mother?</p> <p>13 A. No.</p> <p>14 Q. So when Ray gets home, tell me as best you can</p> <p>15 about your conversation with him, what you said to him,</p> <p>16 what he said to you, and does he come home on Saturday</p> <p>17 or Sunday?</p> <p>18 A. I don't remember whether it was Saturday or</p> <p>19 Sunday. I think it was Sunday, but I don't remember for</p> <p>20 sure.</p> <p>21 Q. Okay. So when he comes home, is your letter</p> <p>22 already written?</p> <p>23 A. Yeah. Yes, ma'am.</p> <p>24 Q. So do you show Mr. Spencer your letter?</p> <p>25 A. Yes, he read the letter.</p>
<p style="text-align: right;">49</p> <p>1 A. I don't remember.</p> <p>2 Q. Did you tell Ray Spencer that you had written a</p> <p>3 letter?</p> <p>4 A. I don't remember what I said on the phone</p> <p>5 anymore.</p> <p>6 Q. Okay. But I want to make sure that your</p> <p>7 testimony under oath is that Ray Spencer did not tell</p> <p>8 you to write up what Kathryn had said to him. Am I</p> <p>9 correct, he did not tell you that?</p> <p>10 A. Absolutely not. He did not tell me that. CPS</p> <p>11 told me that.</p> <p>12 Q. So when you reference CPS in that last sentence</p> <p>13 that you just read me, and it says, I then got</p> <p>14 batteries, called the crisis line because I didn't know</p> <p>15 what to do. I asked crisis line if I should tape</p> <p>16 Kathryn. She said it wouldn't do any good, wouldn't</p> <p>17 hold up in court, so I didn't tape her.</p> <p>18 Would you agree with me that you don't document</p> <p>19 the fact that the Crisis worker told you to write up the</p> <p>20 allegations that Kathryn made?</p> <p>21 A. I guess I didn't --</p> <p>22 Q. I don't see it.</p> <p>23 A. I guess I didn't document that, but they told</p> <p>24 me to write it up, write it down.</p> <p>25 Q. Is there any reason you didn't write that down?</p>	<p style="text-align: right;">51</p> <p>1 Q. Okay. Did he tell you to take anything out of</p> <p>2 the letter?</p> <p>3 A. No.</p> <p>4 Q. Did he tell you to alter it in any way?</p> <p>5 A. No.</p> <p>6 Q. Did he tell you not to give the letter to</p> <p>7 authorities, to the law authorities?</p> <p>8 A. No.</p> <p>9 Q. So what do you remember about your conversation</p> <p>10 with Mr. Spencer when he came home?</p> <p>11 A. What he said was it was DeAnne turning the kids</p> <p>12 against him or some guy that was probably living with</p> <p>13 her, but DeAnne has been trying to turn the kids against</p> <p>14 him and he thought that she probably set him up to say</p> <p>15 these things -- set them up to say these things.</p> <p>16 Q. Did he then try to report these allegations to</p> <p>17 any law enforcement agency?</p> <p>18 A. Yeah, he made phone calls. I think it was to</p> <p>19 Vancouver or Clark County, I don't even know, and</p> <p>20 Sacramento.</p> <p>21 Q. Did he at any point tell you to keep these</p> <p>22 allegations quiet?</p> <p>23 A. No.</p> <p>24 Q. Did he at any point tell you when he gets home,</p> <p>25 I might lose my job. We've got to keep this quiet?</p>

<p style="text-align: right;">56</p> <p>1 the polygraph and everything, because I loved my</p> <p>2 husband, I was pretty upset that we were even there,</p> <p>3 even though all this came down.</p> <p>4 Q. And did your husband, was your observation that</p> <p>5 he was corroborating in that first meeting?</p> <p>6 A. He seemed mad, angry.</p> <p>7 Q. Was he cooperating, though, with the</p> <p>8 investigation?</p> <p>9 A. I guess. I don't remember for sure, but I</p> <p>10 guess.</p> <p>11 Q. Well, he agreed to take the polygraph, right?</p> <p>12 A. Right.</p> <p>13 Q. And so after he took the polygraph, did anyone</p> <p>14 tell you how he had done on that first polygraph?</p> <p>15 A. I don't remember that anybody other than Ray</p> <p>16 told me. There was something about being inconclusive.</p> <p>17 I don't remember the department telling me that.</p> <p>18 Q. Did you have any conversation with Officer</p> <p>19 Davidson that first time about Ray or about the case?</p> <p>20 A. Well, we were in his office after the</p> <p>21 polygraph, and that's when I was so angry. I didn't</p> <p>22 even like Mr. Davidson at the time. I told him he was</p> <p>23 trying to ruin my marriage and my husband's job.</p> <p>24 Q. And I'm just curious why you would be telling</p> <p>25 Detective Davidson that you thought he was trying to</p>	<p style="text-align: right;">58</p> <p>1 believe he was innocent?</p> <p>2 A. I still believed he was innocent. I wanted to</p> <p>3 believe he was innocent. I loved my husband.</p> <p>4 Q. Did anyone ever suggest that you be polygraphed</p> <p>5 on your conversation with Kathryn?</p> <p>6 A. Not that I recall.</p> <p>7 Q. After the second polygraph, do you learn what</p> <p>8 the result is of that polygraph?</p> <p>9 A. I heard that it was supposed to be positive,</p> <p>10 but I don't recall who told me that. I don't remember</p> <p>11 if it was Ray or Mike Davidson when we were in his</p> <p>12 office together. I don't remember.</p> <p>13 Q. How would you describe, in that second visit to</p> <p>14 the Clark County sheriff's office, how would you</p> <p>15 describe Mr. Spencer's interaction with Officer</p> <p>16 Davidson?</p> <p>17 A. I don't think he liked him. I don't think he</p> <p>18 was, you know, he was -- I don't remember, hollering or</p> <p>19 cussing or what it was, he was angry. I was angry. I</p> <p>20 don't know. He thought that he was being railroaded or</p> <p>21 something.</p> <p>22 Q. Did Officer Davidson make any statements in</p> <p>23 your presence that indicated he thought Mr. Spencer was</p> <p>24 guilty?</p> <p>25 A. I wished I could remember that, but I'm not</p>
<p style="text-align: right;">57</p> <p>1 ruin your marriage.</p> <p>2 A. I guess because -- I don't know. It's just I</p> <p>3 was angry. I was angry at him, and I loved my husband</p> <p>4 and I thought everything was going to be ruined because</p> <p>5 of all of this.</p> <p>6 Q. And then after that first meeting, do you</p> <p>7 obtain any information about Kathryn's interview in</p> <p>8 Sacramento with Detective Flood?</p> <p>9 A. I'm not sure I understand.</p> <p>10 Q. Okay. Well, did you learn at some point right</p> <p>11 in that time frame -- and we're in the August, September</p> <p>12 of 1984 -- did you learn that when Kathryn was</p> <p>13 interviewed by Detective Flood, that she was not telling</p> <p>14 him about the allegations that you'd put in your letter?</p> <p>15 A. I think I heard that later from Ray, but I</p> <p>16 don't remember hearing it from Detective Flood. If I</p> <p>17 did, I don't remember.</p> <p>18 Q. And when you returned -- is your second trip to</p> <p>19 the Clark County sheriff's department for that second</p> <p>20 polygraph, and it's right at the end of September,</p> <p>21 around the 24th, do you remember that, going back?</p> <p>22 A. I remember going back with Ray, yes.</p> <p>23 Q. And had anything happened in your discussions</p> <p>24 with Ray up to that point that made you suspect that</p> <p>25 these allegations might be true, or did you still</p>	<p style="text-align: right;">59</p> <p>1 sure what his statements were at the time. I think I</p> <p>2 was so upset and so confused I don't remember.</p> <p>3 Q. What was your reaction to learning that Mr.</p> <p>4 Spencer had supposedly flunked the polygraph?</p> <p>5 A. Confusion, because my husband, I wanted to</p> <p>6 believe him. I loved him. He convinced me that it had</p> <p>7 to be somebody else. It wasn't him.</p> <p>8 Q. Did your attitude about his innocence begin to</p> <p>9 change after you found out he didn't pass the polygraph</p> <p>10 the second time?</p> <p>11 A. I don't think that my attitude changed. I was</p> <p>12 confused and angry and upset and didn't know what was</p> <p>13 going on, and he was, you know, just as stressed as I</p> <p>14 was. It was such a stressed time. I don't know. But</p> <p>15 my attitude hadn't really changed in the way that I</p> <p>16 thought he might be guilty at that time.</p> <p>17 Q. Could you tell me, just in the whole sequence</p> <p>18 of events, what was the turning point for you in your</p> <p>19 opinion that he was guilty? What was the turning point?</p> <p>20 A. I think it was when we found out about my son.</p> <p>21 Q. So would you say up until that time, you still</p> <p>22 had doubts about whether he was guilty or not?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Now, at a certain point, Mr. Spencer</p> <p>25 checks himself into the Oregon Health Science</p>

<p style="text-align: right;">80</p> <p>1 have any meetings with Sharon Krause and Mike Davidson</p> <p>2 that you recall?</p> <p>3 A. The only one -- meetings that I recall with</p> <p>4 Mike Davidson were with Ray. The rest -- any other</p> <p>5 time, it would have been pretty much Sharon. She was</p> <p>6 the interviewer.</p> <p>7 Q. So when you say -- you're talking about the</p> <p>8 polygraph examination meetings, right, where Davidson</p> <p>9 was present?</p> <p>10 A. Right.</p> <p>11 Q. And then at a certain point in time, does Ray</p> <p>12 move out of the Lucia Falls house?</p> <p>13 A. Yes, but I can't remember the dates.</p> <p>14 Q. Is it sometime after this second domestic</p> <p>15 disturbance?</p> <p>16 A. Yes.</p> <p>17 Q. Where does Ray go when he moves out of the</p> <p>18 house?</p> <p>19 A. I guess he went to a hotel.</p> <p>20 Q. Well, actually, do you remember, he went to the</p> <p>21 Salmon Creek Motel? Do you remember that name?</p> <p>22 A. I remember the Salmon Creek. But I think he</p> <p>23 went somewhere before that and then the Salmon Creek</p> <p>24 Motel. I definitely remember the Salmon Creek one.</p> <p>25 Q. Right. I think you're correct. He went to</p>	<p style="text-align: right;">82</p> <p>1 MR. DUNN: Where is this, Counsel?</p> <p>2 MS. ZELLNER: It's tab 5. It's page 1162. But</p> <p>3 I'm asking her if she remembers that.</p> <p>4 THE WITNESS: Oh, yeah.</p> <p>5 BY MS. ZELLNER:</p> <p>6 Q. He did ask you, right, to spend the night?</p> <p>7 A. Yeah.</p> <p>8 Q. Okay. And did you ever go there and spend the</p> <p>9 night at the Salmon Creek Motel?</p> <p>10 A. No, not ever. I've never been.</p> <p>11 Q. And did you ever make the statement to Ray</p> <p>12 Spencer when he asked you to spend the night at the</p> <p>13 motel - and this is a quote that he's quoting you as</p> <p>14 saying: I can't. If I do, I can't go through with</p> <p>15 this.</p> <p>16 MR. DUNN: Where is that, Counsel? That's on</p> <p>17 page 4? What paragraph are you referring to?</p> <p>18 MS. ZELLNER: I'm at Tab 5, 1162 -- I'm going</p> <p>19 to give you the paragraph.</p> <p>20 MR. FREIMUND: Paragraph 11.</p> <p>21 MR. DUNN: Here we are.</p> <p>22 BY MS. ZELLNER:</p> <p>23 Q. Okay. So I'm asking her if that is a correct</p> <p>24 quote. Did you ever say, I can't. If I do, I can't go</p> <p>25 through with this? Did you ever make that statement to</p>
<p style="text-align: right;">81</p> <p>1 another hotel, then he went to Salmon Creek.</p> <p>2 But when he gets to Salmon Creek, are you</p> <p>3 having conversations with him? Is he still calling you?</p> <p>4 A. Yes, he's still calling me. We were still</p> <p>5 trying to work on our marriage. We still, you know,</p> <p>6 don't know definitely who did what with Kathryn, you</p> <p>7 know. He's still telling me he's innocent and we're</p> <p>8 trying to make our marriage work.</p> <p>9 Q. I want to direct you to a declaration that Ray</p> <p>10 Spencer gave. It's Tab 5. And my purpose in doing that</p> <p>11 is just to read the statement to you that he made and</p> <p>12 ask you if that's a true statement. So if you want to</p> <p>13 look at the document, you can, or I can simply read it</p> <p>14 to you.</p> <p>15 A. Go ahead.</p> <p>16 MR. DUNN: We've got it here.</p> <p>17 MS. ZELLNER: Sure.</p> <p>18 BY MS. ZELLNER:</p> <p>19 Q. Tab 5, Bates stamp 1162.</p> <p>20 A. Okay.</p> <p>21 Q. The specific statement is Ray Spencer claimed</p> <p>22 in that declaration that when he was at the Salmon Creek</p> <p>23 Motel, he'd asked you to spend the night with him a</p> <p>24 number of times.</p> <p>25 Do you remember him ever asking that?</p>	<p style="text-align: right;">83</p> <p>1 Ray Spencer?</p> <p>2 A. No, I did not, absolutely not. I'm still</p> <p>3 working on my marriage. Why would I say that? Excuse</p> <p>4 me. That's asking you.</p> <p>5 Q. Now, at a certain point you take your son, Matt</p> <p>6 Hansen, to the Salmon Creek Motel; is that right?</p> <p>7 A. That's right.</p> <p>8 Q. And how old was your son at that point?</p> <p>9 A. Four or five. Five, I think he turned five.</p> <p>10 Q. Because his birthday is February 20th, right?</p> <p>11 A. What was the date of the visit?</p> <p>12 Q. February 16th.</p> <p>13 A. Oh, that's before his birthday, then. Yeah, I</p> <p>14 did.</p> <p>15 Q. And I'm curious why you would take your son to</p> <p>16 spend the night with Mr. Spencer when he's been arrested</p> <p>17 for child molestation.</p> <p>18 A. Well, actually at that time we didn't know that</p> <p>19 he was guilty. We didn't know who was guilty or if they</p> <p>20 were guilty. I still believed in my husband. We didn't</p> <p>21 know about Matt or Big Matt. And we're still working on</p> <p>22 our marriage.</p> <p>23 Q. So you took your four-year-old son to a motel</p> <p>24 and left him with Mr. Spencer; is that right?</p> <p>25 A. Yes. We'd been shopping that day and then I</p>

<p style="text-align: right;">84</p> <p>1 had to go to see my counselor. He'd been asking me and</p> <p>2 asking me if I would bring Matt over for a visit,</p> <p>3 because Matt was struggling. He couldn't understand why</p> <p>4 he couldn't see his daddy. And at that time, I said he</p> <p>5 could stay there while I went to the meeting, but when I</p> <p>6 got done, he asked if he could spend the night.</p> <p>7 Q. Which meeting did you go to? And we're talking</p> <p>8 about February 16th, 1985.</p> <p>9 A. It was with my counselor, Jeannette Dezsofi.</p> <p>10 Q. Did your counselor -- did you inform your</p> <p>11 counselor that you had dropped your son off at the</p> <p>12 motel?</p> <p>13 A. I don't think it would have come up. There was</p> <p>14 no reason why.</p> <p>15 We're working on our marriage. We don't know</p> <p>16 if Ray is guilty or not. We don't know about the boys.</p> <p>17 There was, in my mind, nothing wrong with leaving him</p> <p>18 there.</p> <p>19 Q. When you took him to the motel, is it correct</p> <p>20 that you didn't have pajamas for him?</p> <p>21 A. No, because he wasn't going to spend the night.</p> <p>22 I had a meeting with my counselor. Ray and I</p> <p>23 had been shopping that day and I was going to pick him</p> <p>24 up and take him home. Ray convinced me to leave him for</p> <p>25 the night; otherwise, if I knew he was going to spend</p>	<p style="text-align: right;">86</p> <p>1 Q. I just want to understand your thought process</p> <p>2 taking your four-year-old child to a motel and leaving</p> <p>3 him with someone who'd been charged with child</p> <p>4 molestation.</p> <p>5 A. I didn't believe he was guilty at the time. I</p> <p>6 loved my husband. We didn't know if it was DeAnne or</p> <p>7 Karen or Matt or her or if it was anybody at the time.</p> <p>8 If I thought it was, I wouldn't have left him there.</p> <p>9 MR. DUNN: Ms. Zellner, I'm going to ask that</p> <p>10 you move on. I think this is getting down to the point</p> <p>11 where you're badgering my client. I don't see this line</p> <p>12 of questioning as productive any further, unless you've</p> <p>13 got some matters you want to go into. But you've</p> <p>14 drilled this in as far as it should go, I think.</p> <p>15 MS. ZELLNER: Well, over your objections -</p> <p>16 again, this is a federal deposition. I'm not sure that</p> <p>17 you're aware of the issues - but your objection is noted</p> <p>18 for the record.</p> <p>19 BY MS. ZELLNER:</p> <p>20 Q. And I'll ask, Ms. Spencer, is there anything in</p> <p>21 addition to what you told me about your thought process</p> <p>22 in leaving Little Matt at the Salmon Creek Motel,</p> <p>23 anything else you want to add?</p> <p>24 A. There's nothing else to add.</p> <p>25 Q. I'm not asking you that.</p>
<p style="text-align: right;">85</p> <p>1 the night, he would have had jammies.</p> <p>2 Q. Did you tell Sharon Krause before you took</p> <p>3 Matt, Little Matt, to the motel that you were going to</p> <p>4 do that?</p> <p>5 A. No, why would I do that?</p> <p>6 Q. I'm not asking you that. I'm asking if you</p> <p>7 told her that. Did she have knowledge that you were</p> <p>8 going to do that?</p> <p>9 A. That I was going to take him to the motel? No,</p> <p>10 I didn't tell her.</p> <p>11 Q. Yeah.</p> <p>12 A. No.</p> <p>13 Q. Okay. Did you consider her to be an expert in</p> <p>14 child molestation?</p> <p>15 A. How would I know that? I've never been through</p> <p>16 this.</p> <p>17 Q. You didn't know?</p> <p>18 A. How would I know this? I've never been through</p> <p>19 that.</p> <p>20 Q. In February of 1985, did you know anything</p> <p>21 about Sharon Krause's credentials?</p> <p>22 A. Just that she was the investigating detective,</p> <p>23 that's all I knew. I didn't know about her credentials.</p> <p>24 The County was handling the investigation. I didn't</p> <p>25 look at her credentials.</p>	<p style="text-align: right;">87</p> <p>1 MR. DUNN: Counsel, please don't interrupt her</p> <p>2 answers.</p> <p>3 THE WITNESS: I don't know what to say. I'm</p> <p>4 telling you what I feel, what I know and what's fact.</p> <p>5 There were a lot of people that she had accused of doing</p> <p>6 this. At this time, it wasn't proved to me that he was</p> <p>7 guilty of anything. We're working on our marriage. I</p> <p>8 believed my husband. He said it was DeAnne trying to</p> <p>9 turn the kids against him. I believed him. And I would</p> <p>10 not have subjected my son, if I'd have known in my heart</p> <p>11 for sure that he was -- had done something to Kathryn.</p> <p>12 I wouldn't have done it.</p> <p>13 BY MS. ZELLNER:</p> <p>14 Q. Now, you said that you weren't sure who had</p> <p>15 done it because Kathryn had accused DeAnne, and she'd</p> <p>16 accused Little Matt and Karen Stone, but you would agree</p> <p>17 with me that none of those people had been arrested for</p> <p>18 Kathryn's allegations of molestation, right, except Ray</p> <p>19 Spencer?</p> <p>20 A. Yes. And I still believed Ray Spencer.</p> <p>21 Q. Okay. So you, then, pick your son up the next</p> <p>22 day after he's spent the night with Ray Spencer; is that</p> <p>23 right?</p> <p>24 A. I did.</p> <p>25 Q. And I think on your son's birthday, Little</p>

<p style="text-align: right;">96</p> <p>1 A. I have told you everything I can remember at</p> <p>2 the moment.</p> <p>3 Q. Did Sharon Krause know that you had been the</p> <p>4 victim of sex abuse as a child?</p> <p>5 MR. FREIMUND: Object, calls for speculation.</p> <p>6 Go ahead and answer, though.</p> <p>7 THE WITNESS: I don't know that I ever did, no.</p> <p>8 That wasn't something -- no, it wasn't something I would</p> <p>9 have just told anybody. It's hard enough to tell you.</p> <p>10 BY MS. ZELLNER:</p> <p>11 Q. My question, though, is do you have any recall</p> <p>12 of telling Sharon Krause that? I believe your answer is</p> <p>13 no.</p> <p>14 A. I said no.</p> <p>15 Q. Did you ever at any point tell Mike Davidson</p> <p>16 that you'd been a victim of sexual abuse as a child?</p> <p>17 A. Lord, I don't remember that.</p> <p>18 Q. Did Sharon Krause ever ask you if you'd been</p> <p>19 the victim of child sexual abuse?</p> <p>20 A. I don't remember any talking with her at all</p> <p>21 about my childhood.</p> <p>22 Q. And then with Mike Davidson, did he ever ask</p> <p>23 you that question?</p> <p>24 A. Yeah, I think we discussed it, but I don't</p> <p>25 remember exactly what we discussed.</p>	<p style="text-align: right;">98</p> <p>1 document. You said Alcoholics Anonymous, and it says</p> <p>2 Al-Anon. There's a difference.</p> <p>3 BY MS. ZELLNER:</p> <p>4 Q. Okay. Let's do it your way. Al-Anon.</p> <p>5 MS. FETTERLY: A big difference.</p> <p>6 BY MS. ZELLNER:</p> <p>7 Q. So is that true?</p> <p>8 MS. ZELLNER: Miss Fetterly, I ask that you not</p> <p>9 start testifying.</p> <p>10 BY MS. ZELLNER:</p> <p>11 Q. Go ahead.</p> <p>12 A. That's absolutely not true. I've never been a</p> <p>13 drinker, ever. And maybe I should clarify it. Once or</p> <p>14 twice a year I have one drink. I can't drink any more</p> <p>15 than that because I go numb. I don't drink. And I</p> <p>16 never have gone to Al-Anon or whatever this is or</p> <p>17 Alcoholics Anonymous. I'm not a drinker.</p> <p>18 Q. Okay. Just asking the question.</p> <p>19 Let's go back to the Salmon Creek Motel. What</p> <p>20 time did you pick Little Matt up the next day?</p> <p>21 A. Actually, I did not pick him up. Ray brought</p> <p>22 him to the restaurant down in Vancouver, the Who Song &</p> <p>23 Larry's and we had lunch. He brought Matt to me.</p> <p>24 Q. And what did you observe about Little Matt, if</p> <p>25 anything?</p>
<p style="text-align: right;">97</p> <p>1 Q. Do you know at what point in time you discussed</p> <p>2 it?</p> <p>3 A. After we were living together.</p> <p>4 Q. What about the prosecutor, James Peters, did</p> <p>5 you have any discussions with him at all?</p> <p>6 A. I don't even remember him, so I couldn't say</p> <p>7 yes to that at all. I don't remember him.</p> <p>8 Q. Were you ever treated for alcoholism?</p> <p>9 A. I'm not a drinker. I'm a non-drinker.</p> <p>10 Q. Okay. At any point were you a drinker?</p> <p>11 A. Never.</p> <p>12 Q. Okay. So in the medical summary, Tab 17, page</p> <p>13 374.</p> <p>14 A. All right. I'm using my attorney's. I don't</p> <p>15 find mine yet.</p> <p>16 Q. Okay. It's entitled the Oregon Health Sciences</p> <p>17 University. Do you see that caption across the top?</p> <p>18 A. Oh, yeah. I see it.</p> <p>19 Q. Okay. It's Bates stamp 1037. And under</p> <p>20 discharge medications, there's a statement: His wife is</p> <p>21 also seeking individual counseling at Alcoholics</p> <p>22 Anonymous, and the wife and patient are going to receive</p> <p>23 marital counseling at a later date. The patient was</p> <p>24 able to return to work at the time of discharge.</p> <p>25 MR. FREIMUND: I object, that misreads the</p>	<p style="text-align: right;">99</p> <p>1 A. He was very flushed, like he had a fever, very</p> <p>2 lethargic. He didn't want to talk. He just wanted to</p> <p>3 lay his head on the table. And I thought he was sick.</p> <p>4 I didn't know what was the matter with him.</p> <p>5 Q. Anything else?</p> <p>6 A. I was going to take him back to the bathroom,</p> <p>7 and Ray said, no, let me do it and he took him. And</p> <p>8 when he came back, he acted like nothing happened. He</p> <p>9 sat up, ate, talked.</p> <p>10 Q. Do you remember anything else about his</p> <p>11 condition at the restaurant?</p> <p>12 A. Not at the restaurant, no.</p> <p>13 Q. At a certain point in time after Little Matt</p> <p>14 has spent the night at the Salmon Creek Motel, do you</p> <p>15 have further contact with Sharon Krause?</p> <p>16 A. I don't think so, except with the gun</p> <p>17 situation, you know, him picking his guns up, for not</p> <p>18 having his guns. It was after that.</p> <p>19 Q. Okay. Do you remember on or about February</p> <p>20 21st that you got a phone call from Sharon Krause and</p> <p>21 that in the phone call she mentioned that the two of you</p> <p>22 had not spoken since she interviewed the kids in</p> <p>23 Sacramento?</p> <p>24 A. Right.</p> <p>25 Q. Do you remember anything like that?</p>

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<p>1 A. Yes.</p> <p>2 Q. Did she offer to assist you in trying to deal</p> <p>3 with the situation?</p> <p>4 A. I think at that time she wanted to show me</p> <p>5 Kathryn's report.</p> <p>6 Q. So do you remember that around February 22nd of</p> <p>7 1985 that you actually meet with her in person and she</p> <p>8 shows you the reports on Kathryn?</p> <p>9 A. Yeah. Yes.</p> <p>10 Q. Does she also talk to you about DeAnne Spencer</p> <p>11 and meeting with her?</p> <p>12 A. Yeah, I'm sure. I'm sure she probably did talk</p> <p>13 to me about DeAnne.</p> <p>14 Q. And did she also, in that meeting, does she</p> <p>15 tell you that she's concerned or at least worried about</p> <p>16 Little Matt?</p> <p>17 A. It wasn't until after the gun situation, I</p> <p>18 think, that I talked to her about Little Matt, after the</p> <p>19 -- after his birthday.</p> <p>20 Q. Because I think, just to help you with the time</p> <p>21 frame, so his birthday is on 2-20. And then sometime -</p> <p>22 and I've got the date of February 22nd - you have a</p> <p>23 meeting. But you do remember having a meeting with her</p> <p>24 in person; is that right?</p> <p>25 A. Yes, yes.</p>	<p>1 Krause in her office?</p> <p>2 A. Yes.</p> <p>3 Q. In that meeting, do you remember her asking you</p> <p>4 if Matt had ever complained about his penis hurting or</p> <p>5 rectum? Do you remember her asking you those questions?</p> <p>6 A. Yeah, about his bottom hurting, because he had</p> <p>7 complained about his bottom hurting or tummy hurting.</p> <p>8 Q. And had Little Matt's complaints about his</p> <p>9 bottom and his tummy hurting, had they been after</p> <p>10 February 16th, after the Salmon Creek?</p> <p>11 A. Yeah, it was after the birthday, I'm pretty</p> <p>12 sure.</p> <p>13 Q. Did you take Little Matt for a medical exam at</p> <p>14 a certain point in time?</p> <p>15 A. Yes, I did.</p> <p>16 Q. What were the results of the medical exam on</p> <p>17 Little Matt?</p> <p>18 A. I really wasn't privy to that information. He</p> <p>19 just said it was hard to tell in a child that small</p> <p>20 because their muscles are so flexible, strong, whatever</p> <p>21 he said. I don't remember the exact words he said.</p> <p>22 Q. Was it your idea to take Little Matt for the</p> <p>23 exam or did Detective Krause recommend it?</p> <p>24 A. Detective Krause recommended it.</p> <p>25 Q. And after Little Matt's medical exam, did you</p>
101	103
<p>1 Q. And do you remember in that meeting what the</p> <p>2 discussion was about your son, Little Matt?</p> <p>3 A. I remember her asking me that she was concerned</p> <p>4 maybe something happened to Matt or not.</p> <p>5 Q. Okay. Did Detective Krause offer to interview</p> <p>6 Little Matt at that time?</p> <p>7 A. Yes, she did.</p> <p>8 Q. At first did you indicate to her that you might</p> <p>9 -- you would prefer that -- let me rephrase that.</p> <p>10 Did you indicate to her that you'd like to</p> <p>11 discuss the potential of her interviewing Little Matt</p> <p>12 with your therapist?</p> <p>13 A. Yes.</p> <p>14 Q. And tell me what was your thinking about that.</p> <p>15 Were you just trying to be careful, or why did you want</p> <p>16 to talk to the therapist first?</p> <p>17 A. I just thought that it would be good for him to</p> <p>18 see a therapist instead, you know, no other reason that</p> <p>19 I can think of.</p> <p>20 Q. At that point in time, around February 22nd,</p> <p>21 you didn't know anything that had supposedly happened at</p> <p>22 the motel; is that right?</p> <p>23 A. No, I didn't.</p> <p>24 Q. And then at a certain point in time, around</p> <p>25 February 27th, do you have a meeting with Detective</p>	<p>1 talk to Detective Krause about the medical findings on</p> <p>2 Little Matt?</p> <p>3 A. Well, I didn't know the medical findings. I</p> <p>4 just said I had taken him. And all I know is what he</p> <p>5 said that it was hard to tell, but he didn't tell me the</p> <p>6 results.</p> <p>7 Q. Okay. We're talking about the doctor?</p> <p>8 A. Yes.</p> <p>9 Q. The doctor did not tell you that he was</p> <p>10 observing injury, though, correct?</p> <p>11 A. He didn't tell me one way or another.</p> <p>12 Q. Did you ever follow up to find out from</p> <p>13 Detective Krause about what the doctor said in his</p> <p>14 medical report?</p> <p>15 A. No.</p> <p>16 Q. Did Detective Davidson also know about the</p> <p>17 medical exam of Little Matt?</p> <p>18 A. I have no idea. I wasn't really talking with</p> <p>19 Mike Davidson, just Sharon Krause, so I have no idea</p> <p>20 what he knew.</p> <p>21 Q. So going back to your interaction with Sharon</p> <p>22 Krause, and we're in that time period about February</p> <p>23 22nd, did you at a certain point in time conclude that</p> <p>24 Little Matt had been sexually molested by Ray Spencer?</p> <p>25 A. Did I conclude that he was?</p>

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<p>1 Q. Right.</p> <p>2 A. I didn't conclude anything. I just know what</p> <p>3 Sharon Krause said he said. I don't know. I don't know</p> <p>4 conclude.</p> <p>5 Q. When the information comes out that Little Matt</p> <p>6 has been sexually -- allegedly sexually molested by Ray</p> <p>7 Spencer, does the information go to Sharon Krause and</p> <p>8 then Sharon Krause tells you what Little Matt said?</p> <p>9 A. She told me what his reports were to her, yes.</p> <p>10 Q. Did Little Matt ever report anything directly</p> <p>11 to you during that time period?</p> <p>12 A. He talked to me about the bubble bath and he</p> <p>13 was afraid to take bubble baths. That was clear back</p> <p>14 when Ray was there.</p> <p>15 Q. Did Little Matt tell you why he was afraid to</p> <p>16 take bubble baths?</p> <p>17 A. He told Sharon.</p> <p>18 Q. So just so it's clear on the record, does</p> <p>19 Little Matt ever describe any of the sexual molestation</p> <p>20 of him that allegedly occurred at the motel?</p> <p>21 A. At the motel? No.</p> <p>22 Q. Does Little Matt ever describe to you any</p> <p>23 sexual molestation that occurred to him by Ray Spencer?</p> <p>24 A. Clear back then it was just him being afraid to</p> <p>25 take a bubble bath and for me to take his rectal</p>	<p>1 A. I don't remember. I'm sure, you know. You</p> <p>2 know, I've read so many reports and trying to put my</p> <p>3 mind around what happened back then and read the</p> <p>4 reports, I don't know what he said.</p> <p>5 Q. Well, would it be a fair statement that your --</p> <p>6 all of your information about Little Matt being molested</p> <p>7 at the Salmon Creek Motel came from Sharon Krause?</p> <p>8 A. I think most all of it.</p> <p>9 Q. Well, other than the bubble bath and the rectal</p> <p>10 temperature, was there anything else --</p> <p>11 A. Huh-uh.</p> <p>12 Q. -- that Little Matt told you?</p> <p>13 A. Nothing I can think of at the moment.</p> <p>14 Q. I want to direct your attention to group</p> <p>15 Exhibit A and Tab 16. It's an interview in The</p> <p>16 Columbian. And I'll let you find that.</p> <p>17 A. Okay.</p> <p>18 Q. Let's go to -- there's a couple of quotes in</p> <p>19 this article supposedly of you, and I just want to</p> <p>20 confirm whether they're accurate.</p> <p>21 So if you go to the third page of the article</p> <p>22 and go to the first -- go to the fourth paragraph. It</p> <p>23 starts, it says: It was hard.</p> <p>24 A. Okay.</p> <p>25 Q. So they've got you quoted here. I'll read the</p>
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<p>1 temperature when he was sick.</p> <p>2 Q. All right. Other than that information,</p> <p>3 though, was there anything else that Little Matt told</p> <p>4 you about related to any sexual molestation?</p> <p>5 A. No.</p> <p>6 Q. Did Little Matt ever, after the Salmon Creek</p> <p>7 Motel, did he ever tell you that nothing had happened at</p> <p>8 the motel?</p> <p>9 A. He has never recanted anything to this date.</p> <p>10 Q. But I'm asking you back around February 22nd,</p> <p>11 did Little Matt ever tell you that nothing had happened</p> <p>12 at the motel?</p> <p>13 A. No, he did not tell me nothing had happened at</p> <p>14 the motel.</p> <p>15 Q. I'm correct that he doesn't tell you what</p> <p>16 happened. He tells Sharon Krause.</p> <p>17 A. Yeah. I only remember some things about the</p> <p>18 temperature and the bubble bath.</p> <p>19 Q. Did Sharon Krause then interview Little Matt at</p> <p>20 some point in time about the Salmon Creek Motel?</p> <p>21 A. She did about me taking him over there.</p> <p>22 Q. And then after she interviews him, she reports</p> <p>23 to you what he said.</p> <p>24 A. Oh, I don't remember.</p> <p>25 Q. Is that correct?</p>	<p>1 quote into the record and then just tell me if it's</p> <p>2 accurate or not. The quote is: It was hard, said</p> <p>3 Shirley Spencer, the doctors at OHSU were trying to</p> <p>4 convince me Ray was a good guy, that he wasn't a child</p> <p>5 molester. The sheriff's department was on the opposite</p> <p>6 end.</p> <p>7 Reading that quote -- go ahead, is that</p> <p>8 accurate?</p> <p>9 A. I didn't say that, but I remember the doctor</p> <p>10 saying he was a good guy. He didn't do this.</p> <p>11 Q. So you're saying that you did not say this to</p> <p>12 the author of this article; is that correct?</p> <p>13 A. I said this to a reporter?</p> <p>14 Q. Yes, it's an article. It's a newspaper</p> <p>15 article.</p> <p>16 A. Yeah.</p> <p>17 Q. Yes, you're quoted in the newspaper article.</p> <p>18 I'm simply asking you, did you make that statement?</p> <p>19 A. I don't remember it.</p> <p>20 Q. Now, if we look -- if you go another two pages</p> <p>21 -- if you go to the next page, so it's Bates stamp 5599.</p> <p>22 A. I don't see a Bates stamp, do you?</p> <p>23 Q. It's page 4 of the article.</p> <p>24 A. Okay. I have it.</p> <p>25 Q. So in the first -- actually, it's the second</p>

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<p>1 A. I think it's been about a year ago.</p> <p>2 Q. Do you know what the crime was?</p> <p>3 A. Yeah, he got into drugs.</p> <p>4 Q. So the charge against him related to drugs?</p> <p>5 A. Yeah, drugs or breaking into my house when he</p> <p>6 was on drugs.</p> <p>7 Q. Does Matt Hansen have any children?</p> <p>8 A. He has a daughter, a five-year-old daughter.</p> <p>9 Q. And does he have custody of her or does her</p> <p>10 mother?</p> <p>11 A. The mother has custody.</p> <p>12 Q. What is the mother's name?</p> <p>13 A. Stephanie.</p> <p>14 Q. What's her last name?</p> <p>15 A. Snow.</p> <p>16 Q. Do they also live close to you?</p> <p>17 A. No. They live an hour away in Rainier, Oregon.</p> <p>18 Q. You said that you first -- I think you said</p> <p>19 something about your first date with Detective Davidson</p> <p>20 was in June, was it, of 1985?</p> <p>21 A. Yes.</p> <p>22 Q. When is the last time that you talked to</p> <p>23 Michael Davidson?</p> <p>24 A. Oh, my gosh, 15, 20 years ago. I can't even</p> <p>25 tell you for sure.</p>	<p>1 MR. DUNN: Deed.</p> <p>2 THE WITNESS: -- that paper I took in there,</p> <p>3 quitclaim deed. He didn't talk to me about seeing him</p> <p>4 any other time.</p> <p>5 BY MS. ZELLNER:</p> <p>6 Q. Did Michael Davidson ever tell you that he'd</p> <p>7 gotten in trouble with the jail staff, jail personnel,</p> <p>8 for visiting Ray Spencer?</p> <p>9 A. No.</p> <p>10 Q. He never told you that?</p> <p>11 A. Not that I remember.</p> <p>12 Q. Okay. Did Michael Davidson ever tell you that</p> <p>13 he had attempted to convince Ray Spencer to plead</p> <p>14 guilty?</p> <p>15 A. No.</p> <p>16 Q. Would you agree with me that the first time you</p> <p>17 go out in public with Michael Davidson is in June of</p> <p>18 1985?</p> <p>19 A. 1985, in June.</p> <p>20 Q. That's the first time you go out in public,</p> <p>21 right?</p> <p>22 A. Well, never saw him privately before then,</p> <p>23 either.</p> <p>24 Q. When does -- does he ask you out or do you ask</p> <p>25 him out?</p>
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<p>1 Q. So I'm assuming from that answer that you've</p> <p>2 never talked to him about this case, right?</p> <p>3 A. No -- well, when I went to a deposition a long</p> <p>4 time ago, I asked him about a medical report that had</p> <p>5 been misplaced. I asked him about that. But that's</p> <p>6 still about 15 years ago, I think. I don't even know.</p> <p>7 Q. What did Michael Davidson tell you about a</p> <p>8 medical report in that conversation?</p> <p>9 A. It was after I had my deposition and heard</p> <p>10 about it, I asked him about it. And he said that he</p> <p>11 didn't remember it, but they'd found one.</p> <p>12 Q. And was the one they found on your son, Little</p> <p>13 Matt?</p> <p>14 A. I don't know who it was on, which one it was</p> <p>15 on. I want to say Kathryn, but I may be wrong.</p> <p>16 Q. Did you ever talk to him about the medical</p> <p>17 report on your son, Little Matt?</p> <p>18 A. I don't think so. I talked to him about</p> <p>19 whether he had the report on one or the other of them,</p> <p>20 but what it was about I didn't ask him. I mean, what it</p> <p>21 said.</p> <p>22 Q. And did he talk to you about visiting Ray</p> <p>23 Spencer when he was in jail before he went to prison?</p> <p>24 A. The only time I know of that he visited Ray in</p> <p>25 jail was taking my -- what do you call it?</p>	<p>1 A. He called and asked me if I'd like to meet him</p> <p>2 for a drink. And that was in June of '85.</p> <p>3 Q. And why is it that you started dating Michael</p> <p>4 Davidson?</p> <p>5 A. I don't know. I don't have an answer for that.</p> <p>6 I just met him and talked to him, and I guess I liked</p> <p>7 him then, liked our conversation. And I guess I just</p> <p>8 needed, like I said, somebody to lean on.</p> <p>9 Q. When you say that you talked to him, were you</p> <p>10 having phone conversations with him before June?</p> <p>11 A. No.</p> <p>12 Q. So did you at any point meet Michael Davidson's</p> <p>13 wife, Linda Davidson?</p> <p>14 A. I saw her one time, one time only, and it was</p> <p>15 at her -- I'm trying to think if it was a son or a</p> <p>16 daughter -- I think it was a son's wedding. That's the</p> <p>17 only time I ever saw her. And we never really had a</p> <p>18 conversation. I met her. That was it.</p> <p>19 Q. Did you ever go to Michael Davidson's house</p> <p>20 prior to him moving into your house?</p> <p>21 A. No, I didn't even know where he lived.</p> <p>22 Q. Is there any other reason that you became</p> <p>23 involved with Michael Davidson, other than what you've</p> <p>24 just told us?</p> <p>25 A. No, because I didn't even like him in the</p>

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<p>1 beginning because I thought he was ruining my marriage 2 and my husband's career.</p> <p>3 Q. Would you describe yourself in those months of 4 August, September, October up until Ray's arrest in 5 January, would you describe yourself as vulnerable?</p> <p>6 A. When, again? What was the dates?</p> <p>7 Q. August to January 3rd of 1985.</p> <p>8 A. Oh, you mean, when I was still with Ray?</p> <p>9 Q. Yes.</p> <p>10 A. No. I wasn't vulnerable. I think that --</p> <p>11 Q. Were you --</p> <p>12 A. -- emotionally we were upset. We were having 13 problems in the marriage.</p> <p>14 Q. Would you describe yourself in those months as 15 being emotionally stable?</p> <p>16 A. Yes.</p> <p>17 Q. Did you and Michael Davidson ever discuss Ray's 18 case once you were living together?</p> <p>19 A. Lord, you know, I don't really remember. I'm 20 sure there was probably times, like, I got a letter from 21 Ray from prison and I didn't want to have any mail, and 22 I think I discussed it with him. And then he called -- 23 I don't know if it was his boss or the prison or where, 24 for him not to be able to communicate with me. It 25 wasn't really a big topic at that time, I mean, subject</p>	<p>1 prosecutor involved with Ray's case?</p> <p>2 A. You know, I don't remember meeting -- I don't 3 even remember the prosecutors. I remember the names, 4 but I don't remember meeting with them. I may have, but 5 I don't remember.</p> <p>6 Q. Do you remember anybody preparing you for Ray's 7 trial? Do you remember anybody talking to you about the 8 fact you might have to give testimony or anybody 9 approach you about that?</p> <p>10 A. No.</p> <p>11 Q. And then were you interviewed by the Vancouver 12 Police Department before they terminated Ray in January 13 of 1985?</p> <p>14 A. I was, but I think it was Captain Davis and Jim 15 Hulse, I think.</p> <p>16 Q. And have you had the opportunity to look at 17 those reports? Did you look at them when you met with 18 Ms. Fetterly?</p> <p>19 A. No -- well, we did go over one thing, that was 20 the baby-sitter situation.</p> <p>21 Q. With Rhonda Short?</p> <p>22 A. Yeah.</p> <p>23 Q. Is that who it was?</p> <p>24 A. Yes.</p> <p>25 Q. And with Stephanie Snow, can you give me</p>
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<p>1 to talk about. Let's put it that way.</p> <p>2 Q. When Ray Spencer pleads guilty, do you find out 3 about that in advance of when he pleads guilty in May of 4 1985?</p> <p>5 A. I hadn't heard about it, that he pleaded 6 guilty. All I heard was he took, what he called a 7 Newton plea, or whatever it was. I hadn't heard until 8 later on that he'd pled guilty.</p> <p>9 Q. And who told you, if you remember, that Ray 10 Spencer was going to take the Newton plea?</p> <p>11 A. Probably Sharon. She's probably about the only 12 one I talked to very much.</p> <p>13 Q. Do you know -- Ray Spencer pleads guilty on May 14 16th, 1985. Do you know how long before that you knew 15 that he was going to enter a Newton plea?</p> <p>16 A. No.</p> <p>17 Q. Was it a month before?</p> <p>18 A. Ma'am, I don't have a clue.</p> <p>19 MS. ZELLNER: Let me take a two-minute break. 20 I want to see if I have any questions. 21 (Discussion off the record.) 22 MS. ZELLNER: Can we go back on. 23 BY MS. ZELLNER: 24 Q. Do you know, Ms. Spencer, if at any time before 25 Ray's plea on May 16th, 1985, did you ever meet with any</p>	<p>1 anymore specifics on her address?</p> <p>2 A. No. I just know she lives in Rainier, Oregon.</p> <p>3 Q. Does she live in a house or does she rent an 4 apartment?</p> <p>5 A. She lives in a house with a boyfriend.</p> <p>6 Q. After you split up with Michael Davidson, did 7 you ever have any social contact with him at a horse 8 club or some type of club?</p> <p>9 A. We belong to the same saddle club, and he was 10 going with another lady that belonged there then. And I 11 saw him, but we really didn't have contact -- I mean 12 talk, you know.</p> <p>13 Q. Right. But that was pretty much the only 14 contact you had with him?</p> <p>15 A. Yes, ma'am.</p> <p>16 Q. Now, one other note in the records, I'll just 17 ask if you remember this, do you remember an incident 18 where Michael Davidson held a gun to his head in front 19 of Little Matt?</p> <p>20 A. Yes, I do remember that.</p> <p>21 Q. Could you tell me just a little bit about that? 22 When did that happen?</p> <p>23 A. When he was still living at my house. We were 24 arguing about something, and if I knew what it was, I'd 25 tell you, but I can't remember. I just know we were</p>

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<p>1 arguing and he did that.</p> <p>2 Q. Did he say anything when he held the gun to his</p> <p>3 head?</p> <p>4 A. I don't remember if he said something like I</p> <p>5 might as well not be living or whatever. I don't really</p> <p>6 know. I don't remember his exact words it was so long</p> <p>7 ago.</p> <p>8 Q. Okay. Did you ever have, in your relationship</p> <p>9 with Michael Davidson, did you ever have any physical</p> <p>10 confrontations with him?</p> <p>11 A. No, no. It was verbal.</p> <p>12 Q. And would you say that towards the end of that</p> <p>13 relationship, before you split up, was that relationship</p> <p>14 fairly stressful?</p> <p>15 A. It was, because Matt and I were stressed all</p> <p>16 the time. I'm sure that's probably caused a lot of it.</p> <p>17 Q. And do you think the stress for you and Matt</p> <p>18 came from the whole investigation and prosecution and</p> <p>19 conviction of Ray Spencer?</p> <p>20 A. That, and him being molested. The whole thing,</p> <p>21 every all together. It was really hard on everything.</p> <p>22 Q. How long did you continue your therapy with the</p> <p>23 therapist that you mentioned?</p> <p>24 A. I quit -- I went a couple of years and I had to</p> <p>25 quit going for Matt so he could go. It was really</p>	<p>1 Thank you for your patience.</p> <p>2 THE WITNESS: I'm not very patient, am I?</p> <p>3 MS. ZELLNER: No, you are. You are. It's hard</p> <p>4 to remember all this.</p> <p>5 MS. FETTERLY: Do you need a break? I know</p> <p>6 some of the counsel will have a few questions for you.</p> <p>7 Do you want a break first or do you want to proceed?</p> <p>8 THE WITNESS: I'm fine.</p> <p>9 MS. FETTERLY: Just for the record, my name is</p> <p>10 Patricia Fetterly, and I will be the next questioner.</p> <p>11</p> <p>12 EXAMINATION</p> <p>13 BY MS. FETTERLY:</p> <p>14 Q. I just want to establish, Ms. Spencer, it is</p> <p>15 true, is it not, that on August 24th and 25th, 1984,</p> <p>16 when Kathryn made her disclosures to you, you didn't</p> <p>17 know Mike Davidson? You'd never met him by that time;</p> <p>18 is that right?</p> <p>19 A. No, I never met him until Ray went in for</p> <p>20 his --</p> <p>21 Q. The first polygraph?</p> <p>22 A. Yeah, the first polygraph.</p> <p>23 Q. Would it also be fair to say that you didn't</p> <p>24 even know who Mike Davidson was in August of 1984?</p> <p>25 A. I didn't know who anybody was at the County.</p>
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<p>1 expensive back then.</p> <p>2 Q. Did he go to the same therapist? I think it</p> <p>3 was Jeannette.</p> <p>4 A. Dezsofi.</p> <p>5 Q. Dezsofi.</p> <p>6 A. Did who, Ray or Mike?</p> <p>7 Q. No. Little Matt, did Little Matt go to her?</p> <p>8 A. No, he went to -- I forgot her name. It's</p> <p>9 written down in those reports, but he went to her. And</p> <p>10 then it was so expensive, and I think the State or the</p> <p>11 County helped me pay a little bit of it. And then we</p> <p>12 went to see -- the one that was free downtown. I don't</p> <p>13 even know. I don't know what you call it. It was just</p> <p>14 free counseling.</p> <p>15 Q. Did Michael Davidson also go to counseling</p> <p>16 during the time you were with him?</p> <p>17 A. He did. He did with Matt, not before.</p> <p>18 Q. So Michael Davidson went to a counselor with</p> <p>19 Little Matt?</p> <p>20 A. With Matt and I when we were living together.</p> <p>21 Q. And which counselor did you go to?</p> <p>22 A. Jeannette Dezsofi.</p> <p>23 Q. And how long did the three of you do that?</p> <p>24 A. I don't remember.</p> <p>25 MS. ZELLNER: I don't have any more questions.</p>	<p>1 Q. Including Mike Davidson?</p> <p>2 A. Including Mike Davidson, Sharon Krause, any of</p> <p>3 them.</p> <p>4 Q. And you didn't know Jim Peters?</p> <p>5 A. Didn't know him. And I still don't remember.</p> <p>6 Q. Okay. As you just alluded to, am I correct</p> <p>7 that the first time you would have met Mike Davidson</p> <p>8 would be the date of the -- of your then husband's first</p> <p>9 polygraph, which I think the record shows was September</p> <p>10 21st, 1984? Would that be correct?</p> <p>11 A. That would be correct.</p> <p>12 Q. And on that occasion, you come -- you come with</p> <p>13 your then husband to the Clark County sheriff's office;</p> <p>14 is that right?</p> <p>15 A. That's right.</p> <p>16 Q. Was that your first meeting with either Mike</p> <p>17 Davidson or Sharon Krause?</p> <p>18 A. Yes, that was the first time I ever saw him.</p> <p>19 Q. And would the next time you ever met Mr.</p> <p>20 Davidson be the date of the second polygraph, which I</p> <p>21 think the record established is September 24th, 1985?</p> <p>22 A. That's right.</p> <p>23 Q. And am I also correct from your former -- from</p> <p>24 the testimony you gave a little while ago that the next</p> <p>25 time you would even have gone to the sheriff's office</p>

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<p>1 would have been when you were interviewed yourself by</p> <p>2 Detective Krause somewhere around late February 1985?</p> <p>3 Would that also be correct?</p> <p>4 A. Yes.</p> <p>5 Q. So you made no visits, then, to the sheriff's</p> <p>6 office between September 24th, 1984, and approximately</p> <p>7 February 27th, 1985. Would that be accurate?</p> <p>8 A. That's accurate. As I recall.</p> <p>9 Q. And am I correct that you, as you just</p> <p>10 testified, were interviewed at the sheriff's office by</p> <p>11 Detective Krause, I believe it's been established on</p> <p>12 February 27th, 1985? Do you recall meeting Mike</p> <p>13 Davidson on that occasion at the sheriff's office?</p> <p>14 A. No. Sharon was the interviewer. I only saw</p> <p>15 Mike there a couple of times, that I was with Ray or if</p> <p>16 he walked past.</p> <p>17 Q. But you didn't interact with him, would that be</p> <p>18 fair to say?</p> <p>19 A. That's exactly right.</p> <p>20 Q. And then I believe you testified that you took</p> <p>21 your son, Matt, I think the following day on February</p> <p>22 28th, 1985, to the sheriff's office, and was that again</p> <p>23 to be interviewed by Detective Krause?</p> <p>24 A. Yes, it was.</p> <p>25 Q. Did you have any interaction with Detective</p>	<p>1 Q. Okay. And then you testified, too, on one</p> <p>2 occasion interacting with Detective Davidson when on a</p> <p>3 visit to see Detective Krause, you had a quitclaim deed</p> <p>4 with you and she gave it to Detective Davidson to take</p> <p>5 to Mr. Spencer?</p> <p>6 A. Yes, that's true.</p> <p>7 Q. Was that the only time that you can recall</p> <p>8 interacting with Detective Davidson in the Clark County</p> <p>9 sheriff's office --</p> <p>10 A. Yes.</p> <p>11 Q. Let me finish. -- between September 24th,</p> <p>12 1984, and that date that he took the quitclaim deed?</p> <p>13 A. Yes, ma'am. That's true.</p> <p>14 Q. And I think you testified that your personal</p> <p>15 relationship with Detective Davidson did not begin until</p> <p>16 June of 1985; is that right?</p> <p>17 A. That's true.</p> <p>18 Q. On any time prior to you beginning to date him</p> <p>19 after June of 1985, did you ever see Detective Davidson</p> <p>20 alone, in private?</p> <p>21 A. Never.</p> <p>22 Q. And was your sole interaction with him what</p> <p>23 you've just described in your testimony today, meaning</p> <p>24 you saw him twice in September of 1984 when you</p> <p>25 accompanied your husband for the polygraphs, and you</p>
133	135
<p>1 Davidson on that occasion?</p> <p>2 A. No, I didn't.</p> <p>3 Q. And then did you have some other occasions to</p> <p>4 take Matt, your son Matt, in that same time frame,</p> <p>5 meaning late February 1985 maybe into early March 1985,</p> <p>6 to the sheriff's office again to be interviewed by</p> <p>7 Detective Krause?</p> <p>8 A. I don't know how many times I was in there to</p> <p>9 see her for an interview for Matt. A couple of times.</p> <p>10 Q. I think there's some references in deposition</p> <p>11 testimony that you gave earlier that it seemed like you</p> <p>12 were there all the time or words to that effect. Was</p> <p>13 that, again, to see Detective Krause in this same time</p> <p>14 frame?</p> <p>15 A. Yes, it was. And it did seem like it was every</p> <p>16 day because it was ongoing for months, you know. And I</p> <p>17 know that I wasn't there, but it felt like it, you know,</p> <p>18 there was so much stress.</p> <p>19 Q. It felt like it to you. I understand what your</p> <p>20 answer is.</p> <p>21 But am I correct, the purpose of those trips to</p> <p>22 the sheriff's office in that time frame, meaning</p> <p>23 February, March 1985, was not to see Detective Davidson;</p> <p>24 is that right?</p> <p>25 A. That's right. I didn't even like him then.</p>	<p>1 might have seen him in the office but not interacted</p> <p>2 with him when you came to be interviewed by Detective</p> <p>3 Krause, and that you saw him on one occasion sometime</p> <p>4 after that where he took the quitclaim deed? Would</p> <p>5 those summarize your only interactions with him with</p> <p>6 Detective Davidson up to June of 1985?</p> <p>7 A. That's exactly right.</p> <p>8 Q. Now, I want to turn now to your home that you</p> <p>9 owned on Lucia Falls Road. Was this a house on the</p> <p>10 Lewis River?</p> <p>11 A. Yes, ma'am, it was.</p> <p>12 Q. When the Spencer children visited you in the</p> <p>13 summer of 1984, was this where you and your family were</p> <p>14 then living when the Spencer children came to visit?</p> <p>15 A. Yeah. I lived there since '77, that same</p> <p>16 house.</p> <p>17 Q. Because Kathryn describes in one of the reports</p> <p>18 a house on the river. To the best of your recollection,</p> <p>19 that you and her father lived in, would that be that</p> <p>20 house to the best of your knowledge?</p> <p>21 A. That's that house.</p> <p>22 Q. Because it was, in fact, on a river, right?</p> <p>23 A. It's on the Lewis River.</p> <p>24 Q. What was the purchase price of that home in</p> <p>25 1977?</p>

<p style="text-align: right;">144</p> <p>1 A. Yes, ma'am.</p> <p>2 MS. ZELLNER: Objection. She said she didn't</p> <p>3 know what the organization was and then you told her.</p> <p>4 MS. FETTERLY: She said she didn't know then</p> <p>5 but she knows now.</p> <p>6 THE WITNESS: I don't know. Now, what was the</p> <p>7 question? Would you repeat it? I'm sorry.</p> <p>8 (Last question read by reporter.)</p> <p>9 THE WITNESS: I didn't understand that then. I</p> <p>10 didn't even know about it then, but I know this now,</p> <p>11 what it's for. But nobody ever said anything to me</p> <p>12 about it.</p> <p>13 MS. FETTERLY: Thank you. I have no further</p> <p>14 questions.</p> <p>15</p> <p>16 EXAMINATION</p> <p>17 BY MR. BOGDANOVICH:</p> <p>18 Q. Ms. Spencer, I'm Guy Bogdanovich. I represent</p> <p>19 Sharon Krause.</p> <p>20 I would like to know whether you have ever</p> <p>21 reviewed the typewritten reports that Sharon Krause</p> <p>22 prepared, either documenting her interviews with you or</p> <p>23 her interviews with your son, Matt.</p> <p>24 A. Yes, I've read them.</p> <p>25 Q. Okay. When did you read those for the first</p>	<p style="text-align: right;">146</p> <p>1 you and Ray went into the sheriff's office for Ray to</p> <p>2 take polygraph examinations. Do you remember --</p> <p>3 A. I did read those.</p> <p>4 Q. In your review of that report, did you find any</p> <p>5 inaccuracies in what Detective Krause was reporting?</p> <p>6 A. No, sir.</p> <p>7 Q. You recall specifically, though, one of the</p> <p>8 polygraph incident reports documented in many quotations</p> <p>9 of statements made by Ray in anger, where he was using</p> <p>10 the F word repeatedly, and she recorded those</p> <p>11 accurately?</p> <p>12 A. Yes, I remember those.</p> <p>13 Q. And then specifically do you remember reviewing</p> <p>14 a 22-page report that documented Detective Krause's</p> <p>15 interactions with you and then her interview with your</p> <p>16 son, Matt, in February of 1985?</p> <p>17 A. I remember reading those, yes.</p> <p>18 Q. And again, I'd ask you the same question, did</p> <p>19 you find any inaccuracies in the way Detective Krause</p> <p>20 documented what was said during those events?</p> <p>21 A. No, I didn't find any inaccuracies.</p> <p>22 Q. One of Detective Krause's report documented</p> <p>23 something you told her about Leo Clark calling you at</p> <p>24 some point and you told Detective Krause that he "got in</p> <p>25 your face." Do you remember that incident?</p>
<p style="text-align: right;">145</p> <p>1 time?</p> <p>2 A. I don't remember reading any of those reports</p> <p>3 until I got subpoenaed. If I did, I don't remember</p> <p>4 them.</p> <p>5 Q. Do you remember reading -- go ahead.</p> <p>6 A. And I don't remember just now, but over the</p> <p>7 last eight months or so.</p> <p>8 Q. You reviewed them initially around the time</p> <p>9 that your deposition was taken many years ago and then</p> <p>10 you reviewed them again in the last -- what? -- in the</p> <p>11 last eight months?</p> <p>12 A. Yeah, is what I remember.</p> <p>13 Q. Okay. If you recall, specifically do you</p> <p>14 remember reviewing a report where Detective Krause</p> <p>15 documented all of the difference communications and</p> <p>16 contacts she had with your husband, Ray, or with you or</p> <p>17 with both of you together?</p> <p>18 A. No, I don't remember her interviewing the two</p> <p>19 of us together. I don't remember.</p> <p>20 Q. And I don't mean -- I don't mean to use</p> <p>21 interview in a formal or technical sense.</p> <p>22 She has a report, for example, that she</p> <p>23 documented that there was a phone call that occurred</p> <p>24 between either her or Ray. And there's the same report</p> <p>25 that contains information about the two occasions where</p>	<p style="text-align: right;">147</p> <p>1 A. I do remember that incident. He did.</p> <p>2 Q. Can you tell me what the context was, what</p> <p>3 happened?</p> <p>4 A. He thought that he hadn't done anything, that</p> <p>5 we had marriage problems and we should work on that.</p> <p>6 And he knew Ray.</p> <p>7 Q. And when you used the words to Detective Krause</p> <p>8 to describe Leo Clark's conduct, that he got in your</p> <p>9 face, specifically what did he do or say that made you</p> <p>10 use that term?</p> <p>11 A. Well, he was just very angry because Ray was</p> <p>12 his friend. And he didn't think that Ray would do that</p> <p>13 kind of thing, you know, so he thought we had a marriage</p> <p>14 problem.</p> <p>15 MR. BOGDANOVICH: That's all I have, Ms.</p> <p>16 Spencer. Thank you.</p> <p>17 MR. FREIMUND: I have no questions, Ms.</p> <p>18 Spencer. Thank you for your time.</p> <p>19 MS. ZELLNER: Actually, I have just a couple of</p> <p>20 follow-ups for Ms. Fetterly.</p> <p>21</p> <p>22 EXAMINATION</p> <p>23 BY MS. ZELLNER:</p> <p>24 Q. What was Ray Spencer's salary at the time he</p> <p>25 got fired?</p>

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<p>1 A. He didn't make very much more than me, I don't</p> <p>2 think. Probably 25 to 23,000, somewhere in there. Not</p> <p>3 very much.</p> <p>4 Q. And then after he lost his job, would it be a</p> <p>5 fair statement to say that that was a big financial</p> <p>6 burden on you?</p> <p>7 A. Yes, ma'am, it was hard.</p> <p>8 Q. And after -- of course, after he went to jail,</p> <p>9 that was also difficult, was it not, for you not to have</p> <p>10 that second income?</p> <p>11 A. Yes, ma'am.</p> <p>12 Q. Would you say you were struggling financially</p> <p>13 at that point?</p> <p>14 A. I struggled my whole life. Yes, ma'am.</p> <p>15 Q. During that time period, did you consider</p> <p>16 filing for bankruptcy or did you just try to keep going?</p> <p>17 A. No, I didn't do bankruptcy at that time.</p> <p>18 Q. Did you at some point later file for</p> <p>19 bankruptcy?</p> <p>20 A. Yeah, but that's a long time after, 2000, 1999</p> <p>21 or something.</p> <p>22 Q. You filed for divorce from Ray Spencer in June</p> <p>23 of 1985; is that right?</p> <p>24 A. I think that was the date. Yeah, June 6th.</p> <p>25 Q. I'm sorry. June 6th.</p>	<p>1 month, something like that.</p> <p>2 Q. Did he contribute anything else to your</p> <p>3 financial support?</p> <p>4 A. No.</p> <p>5 MS. ZELLNER: All right. I don't have any more</p> <p>6 questions.</p> <p>7 MR. DUNN: I don't have any questions.</p> <p>8 MS. ZELLNER: Would you like to reserve</p> <p>9 signature so she can read it, or do you want to waive?</p> <p>10 MR. DUNN: You can read this and watch it, or</p> <p>11 you can just rely on the court reporter to be accurate.</p> <p>12 THE WITNESS: I'll rely on her.</p> <p>13 MR. DUNN: We'll waive signature.</p> <p>14 MS. ZELLNER: Thank you for your time. We'll</p> <p>15 see you in April. That's the trial date. Thank you.</p> <p>16 MS. FETTERLY: Is anyone ordering this?</p> <p>17 MS. ZELLNER: Yeah, we're going to order it.</p> <p>18 MS. FETTERLY: We'll each take copies.</p> <p>19 MR. FREIMUND: I would like an electronic copy,</p> <p>20 if you could get my e-mail information.</p> <p>21 MS. FETTERLY: Me, also.</p> <p>22 MS. ZELLNER: The plaintiff would, too.</p> <p>23 MR. BOGDANOVICH: So would I.</p> <p>24 (Deposition Exhibit B was marked for</p> <p>25 identification.)</p>
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<p>1 A. Yeah. I have it written down.</p> <p>2 Q. And then Michael Davidson, then, also filed for</p> <p>3 divorce from his wife Linda; is that right?</p> <p>4 A. I guess he did.</p> <p>5 Q. Well, when he was living with you, he was</p> <p>6 divorced from her, wasn't he?</p> <p>7 A. Yes, he said he was.</p> <p>8 Q. Now, did Michael Davidson contribute to helping</p> <p>9 you pay the bills and all of that when he moved into the</p> <p>10 house with you?</p> <p>11 A. Yeah, he helped me. But it wasn't that house.</p> <p>12 It was the other house, the one on Cole Witter Road.</p> <p>13 Q. Right. But did you share expenses, your</p> <p>14 household expenses?</p> <p>15 A. Yes, ma'am.</p> <p>16 Q. And what kind of salary was he making at the</p> <p>17 time?</p> <p>18 A. Oh, I don't have a clue. I never asked him</p> <p>19 what his salary was. I don't have a clue, ma'am.</p> <p>20 Q. Well, he made more than Ray Spencer, correct?</p> <p>21 A. I don't know what he made. I can't tell you</p> <p>22 that. I don't know. We had separate banking and</p> <p>23 everything. I don't know.</p> <p>24 Q. Did you split the bills evenly?</p> <p>25 A. Not really. I think he paid me about 300 a</p>	<p>1 MS. FETTERLY: I'd ask the reporter to hand Ms.</p> <p>2 Spencer the document that has now been marked as Exhibit</p> <p>3 B.</p> <p>4 THE WITNESS: I have it.</p> <p>5</p> <p>6 EXAMINATION</p> <p>7 BY MS. FETTERLY:</p> <p>8 Q. And Ms. Spencer, can you take a look at that</p> <p>9 document, and just -- I just want you to verify that</p> <p>10 that is actually a copy of the handwritten statement you</p> <p>11 made on or about August 25th, 1984, which documents your</p> <p>12 conversation with Kathryn Spencer of August 24 and 25,</p> <p>13 1984; is that correct?</p> <p>14 A. That's correct.</p> <p>15 Q. Is that a true and accurate copy of your</p> <p>16 original notes --</p> <p>17 A. Exactly.</p> <p>18 Q. -- documenting those conversations?</p> <p>19 A. Exactly.</p> <p>20 Q. Just so the record was clear, in the earlier</p> <p>21 portion of your deposition, there was some rather</p> <p>22 extensive questioning by Ms. Zellner concerning your</p> <p>23 handwritten document. And previously the record had</p> <p>24 stated that that document was Tab A-1. Do you recall</p> <p>25 that testimony where you were questioned about that</p>

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1 handwritten document at some length?

2 A. Yeah, I remember. Ours just said exhibits.

3 Q. And you read extensively in response to Ms.
4 Zellner's question from that document.

5 A. Yes, ma'am.

6 Q. Is that the document you read from earlier in
7 your deposition the document that's been marked as
8 Exhibit B?

9 A. Yes, ma'am.

10 MS. FETTERLY: Thank you. I wanted to clarify
11 that for the record.

12 (Deposition concluded at 2:12 p.m.)
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1 CERTIFICATE

2
3 STATE OF WASHINGTON)
4) ss.
5 County of Clark)

6 I, the undersigned Washington Certified Court
7 Reporter, pursuant to RCW 5.28.010 authorized to
8 administer oaths and affirmations in and for the State
9 of Washington, do hereby certify:

10 That the annexed and foregoing deposition
11 consisting of Pages 4 through 152 of the testimony of
12 each witness named herein was taken stenographically
13 before me and reduced to a typed format under my
14 direction;

15 I further certify that according to CR 30(e)
16 the witness was given the opportunity to examine, read
17 and sign the deposition after the same was transcribed,
18 unless indicated in the record that the review was
19 waived;

20 I further certify that all objections made at
21 the time of said examination to my qualifications or the
22 manner of taking the deposition or to the conduct of any
23 party have been noted by me upon each said deposition;

24 I further certify that I am not a relative or
25 employee of any such attorney or counsel, and that I am
not financially interested in the said action or the
outcome thereof;

I further certify that each witness before
examination was by me duly sworn to testify the truth,
the whole truth and nothing but the truth;

I further certify that the deposition, as
transcribed, is a full, true and correct transcript of
the testimony, including questions and answers, and all
objections, motions and exceptions of counsel made and
taken at the time of the foregoing examination and was
prepared pursuant to Washington Administrative Code
308-14-135, the transcript preparation format guideline;

1 I further certify that I am sealing the
2 deposition in an envelope with the title of the above
3 cause and the name of the witness visible, and I am
4 delivering the same to the appropriate authority;

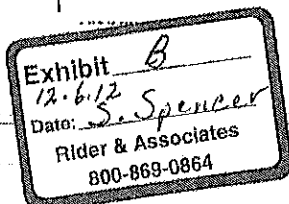
5 I further advise you that as a matter of firm
6 policy, the Stenographic notes of this transcript will
7 be destroyed three years from the date appearing on this
8 Certificate unless notice is received otherwise from any
9 party or counsel hereto on or before said date;

10 IN WITNESS WHEREOF, I have hereunto set my hand
11 and affixed my Washington State CCR Seal this 8th day of
12 December 2012.

13 Certified Court Reporter No. 2119
14 in and for the State of Washington
15 residing at Vancouver, Washington
16 My CCR certification
17 Expires 12-03-12
18
19
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22
23
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25

84-8506

Fri. Aug. 24, 1984, about 9:00pm:
 The kids all wanted to sleep on the
 front room floor and watch the
 video as they had the night before.
 While they were watching the video
 I took a shower. When I finished
 I put on a movie and Kathryn and
 Big Matt asked me to lay between
 them on the floor. While watching
 the movie Dad was at work.
 Around 10:00 or 10:30, the boys fell
 asleep. Kathryn asked me if I
 could rub my tummy. Which was
 normal for me all right each others
 back, legs, feet, tummies etc. some-
 times a whole family project. While
 she rubbed my tummy she had
 her hand up and tried to expose
 my top a few times and I said
 Kathryn and then said Close
 off her actions. She would
 put her arm across my chest
 and try to move my shirt and
 feel my breast and I sneaked a look
 by seeing if Big Matt was watching.
 I again said Kathryn and she slid
 her hand back to my tummy. All
 of a sudden she slid her hand



Spencer-05222

84-8506

Q2

down to my front. Startled, I said Kathryn, and she jerked her hand away. She said, "mommie can I get your peepee." I said no Kathryn. She said, "Can I put your peepee and when I'm done, will you put my peepee." She said, "it feels good." Can I. She said, "Karen let me put her peepee." I said no. I will put your back and tummy not your peepee. She kept insisting she wanted me to do this for it felt so good. She would grab my hand and try to push it to her peepee. I said no. She again said, "Karen and my mommie let me put their titties and peepees." At that I started questioning her about Karen, then her mom. She told me her dad was away hunting and Karen was laying on the bed with Kathryn. Karen had Kathryn up to her robe and put her tummy, then her breast, then she let her put her peepee. I asked her then what and she said Karen rubbed her peepee.

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③

I asked Kathryn how many times did this happen. She said a few. I then asked her about her mom. She said pretty much the same things that she rubbed each other's tummys - tops and pees. I said was this only when mommies ^{and} put medicine on you. Pee pee. Cause it was soft. She said no. She pulled it other times when it didn't need medicine. She again asked me if I would rub her pee pee. I said I would rub her back and tummys not her pee pee. She then said daddy lets me rub her pee pee and he rubs my pee pee. That really tore me up. So I kept it light as we watched the Nudes and tried to question her more. I asked her where the boys were when this happened and she said all up. I asked her where I was and she said at work. I asked her how many times per day or 3. She said a whole bunch. She said daddy told her not to tell. I said then why

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C 4

are you telling me Kathryn. I
 said I wanted you to know I
 said are you going to tell your
 mom and Dad and she said
 no. She would never do that.
 I asked her why she said
 Mommy would laugh at me.
 I asked her if she was going
 to tell anyone else. She said
 no. Ray came home from work
 and I didn't know what to do
 or say. I just never come up against
 anything like this before. I was
 scared for Kathryn, Ray, Mommy.
 Things ran thru my mind. What
 to do, what to say, or how to say
 it, but I just couldn't do or say
 anything. I talked with Kathryn
 more and the next day Ray
 left of work. I took the kids to
 the beach. While the boys swim
 Kathryn laid on the blanket to
 keep warm and we talked some
 more. She said her same story
 about her mom and Karen and
 went into more detail about her
 dad and her and Big Matt.

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03

She said Big Matt, stuck his fingers in his sometimes. I asked her about any other men or women she said no. Every time Big Matt came around she said shut up Matt. Comparing. She said you won't tell dad did I said yes and don't you say anything. She said dad told me not to tell you and you tell me not to tell dad. I said that's a little different. She again asked me about why I wouldn't put her peepee. I couldn't make his feet dirty so changed the subject. She said I scolded you. I said Kathryn you rubbed my tummy not my peepee. You laughed it off and mom told you no. She said I know but can I mom if feels good. I said no and started questioning her again. She said dad would lay on his back and she would lay on his tummy. They started cut with dad in his robe in shorts and her in her nightgown and pajamas. Then she said she took off her pants and slid

84-8506

①

daddy's clump and he put his
pee pee between her legs. I asked
her then what she said. He
tried to put it in her little hole,
but it was too big. I said did it
hurt and she said yes. I said
then what did you do. She said
it told daddy it was too big and
he said what can I say. I said girl.
She said I don't know. I told
her then what she said he then kissed
her pee pee, and she kissed his
and tried to or did put it in her
mouth. I asked her if she ever
got sore and she said yes. And I
said from what she said from
rubbing it. I asked her if he
said nice things to her and she
said he kisses me and tells me he
loves me and tells me I have a
pretty bottom. I asked her if she
likes this and she says yes
and she loves her daddy. And does
he do this to me. I said that's
different Kathryn.

②

Kathryn feels good about all
this. She likes it and wants if
more. She said she wants to know

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what it feels like to do more. I
 didn't know how to tell her that
 this wasn't right with out making
 her feel bad or dirty. I asked
 her if she was telling me stories.
 she said no. I said you wouldn't
 tell me lies she said no. You're not
 making it up. No. I asked her if
 she was afraid of me she said yes.
 I said why? She said I was afraid
 you are now afraid of that. Well
 my mother & father would
 spank me and send me to my
 room. I said you know I wouldn't
 do that. she said I know. I
 said then is this all so. she
 said yes. I then got batteries
 and called the Credit Union because
 I didn't know what else to do.
 I asked Gussie if I should
 tape Latham. she said if I wouldn't
 do any good. It wouldn't hold
 up in court. so I didn't tape
 him. Ray then called and I
 told him. Then he took it to
 Sac. Calif. Credit.

Shirley J. Spencer